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MEAS OF THE COUNCIL

Oct. 29, 1985

missing Nov. & Dec. 1985  
~~March 11'86~~









CA4 ON HBC AOS  
A31  
1985

MEETING OF THE COUNCIL  
OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1985 October 29  
7:30 o'clock p.m.  
Council Chambers  
City Hall

HAMILTON PUBLIC LIBRARY

OCT 28 1985

GOVERNMENT DOCUMENTS

A G E N D A

1. Prayer.
2. Presentation of Civic Awards - Mahoney Midget Bears.  
- Hamilton Seekers.
3. Minutes of the previous Meetings.
4. Correspondence.
  - a) Stikeman, Elliott - Barristers and Solicitors  
Re: Salary Review.
5. Reports of Standing Committees - attached:
  - A) Transport and Environment Committee
  - B) Parks and Recreation Committee
  - C) Planning and Development Committee
  - D) Legislation Committee
  - E) Personnel Committee
  - F) Finance Committee
  - G) Special Committee to Administer The Hamilton  
Scourge Project
6. First reading of the Bills.
7. Second reading of the Bills - Committee of the Whole.
8. Third reading of Bills.
9. Question period.
10. Adjournment.







## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its EIGHTEENTH Report for 1985 and respectfully recommends:

1. That the following apartment building (having compaction facilities) be added to the collection service provided by the City of Hamilton:

50 Cathcart Street (57 units)

2. Approval of the awarding of the following contract:

ROBERT N. DAWSON TRANSPORT LTD., Hamilton, Ontario

Delivery of Potable Water in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Delivery of Potable Water to each home in small quantities

<u>One Year Basis</u> <u>Hourly Rate</u>	<u>Two Year Basis</u> <u>Hourly Rate</u>	<u>Three Year Basis</u> <u>Hourly Rate</u>
\$14.50	\$14.75	\$15.00

Delivery of Potable Water in 600 Gallon Tank Wagons

<u>One Year Basis</u> <u>Per Load</u>	<u>Two Year Basis</u> <u>Per Load</u>	<u>Three Year Basis</u> <u>Per Load</u>
\$9.50	\$9.75	\$10.00

NOTE: Lower of two tenders received. Funds provided in account 0350-9619.

Term of Agreement shall be from November 1, 1985 to December 31st, 1985, together with an option exercisable by the City to extend this Agreement to either October 31st, 1986, or October 31st, 1987, or October 31st, 1988. The termination date for the initial term is set to coincide with the termination date of the budget for the year 1985. The option will require the approval of the new City Council after the municipal election to be held in November 1985.



3. Approval of the awarding of the following contract:

TREMCO LTD., Toronto, Ontario

\$19 825

Supply and delivery of an additional 25 Tonnes Tremco THC-205 Crack Sealant, in accordance with specifications issued by the Director of Purchasing, and Vendor's Tender for \$793 Per Tonne

Ontario Retail Sales Tax Extra at 7%.

NOTE: Lowest of 4 tenders. Funding provided in account 0393-3323.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The Appropriate Committee Chairman, The Chief Administrative Officer, and that any action taken under this provision to be reported to the next regular meeting of Council."

4. Approval of the awarding of the following contract:

LUNDY STEEL, Dunville, Ontario

\$11 572.05

To supply and deliver snow fence and T posts in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE: Lowest of 9 tenders. Funding provided in account 0350-6023.

The above has been processed through the emergency procedures of the City of Hamilton purchasing policy, that states "An order can be placed on approval of two of the following: The Mayor, The Appropriate Committee Chairman, The Chief Administrative Officer, and that any action taken under this provision to be reported to the next regular meeting of Council."

5. That the Real Estate Department be authorized to proceed to negotiate and purchase the required roadways from the owners of 1446, 1452, 1458 and 1464 Upper Ottawa Street.
6. (a) That the firm of Concord Scientific Corporation be retained to prepare a methane gas survey on the Hill Street Yard Site; and
- (b) That the \$4 920 cost be charged to account 0280-02.
7. That an Agreement by Owner to Accept Compensation from the Estate of Vincenzo Malatesta pursuant to the expropriation of a portion of 1043 Stone Church Road East, be approved.



NOTE: The agreement was executed on September 27, 1985 and is scheduled for closing on December 18, 1985. This parcel of land having a total area of 197.8 square metres (2 129 sq.ft.) as shown on Expropriation Plan SS-1542 registered on the 21st day of January 1980 as Instrument No. 148667 C.D. was expropriated by the City for roadway and municipal purposes. The total compensation of \$6 325 plus interest pursuant to the Expropriations Act is to be charged to account 0280-02.

8. That the Mayor and City Clerk be authorized to execute an Amendment to a Garbage Collection Agreement between The Corporation of the City of Hamilton and St. Elizabeth Home Society (Hamilton, Ontario) for the collection of garbage at 393 Rymal Road West.

NOTE: The Amendment extends the area in respect of which garbage is collected on the Applicant's land. The original Agreement will otherwise remain in effect, requiring the Applicant to indemnify and save the City harmless against any loss, and to maintain and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

9. That the Federation of Canadian Municipalities (F.C.M.) be advised that the City of Hamilton endorses the F.C.M.'s proposal for increased spending on Municipal Infrastructure.

10. That the application of Dr. I. R. G. Derby, on behalf of the owner(s) of 50 Forest Avenue, 50 Forest Limited, to install electrical snow melting cables, embedded into the proposed reconstructed sidewalk, 1.37m (54") by 10.06m (33') and to a depth of 0.06m (2") within the City sidewalk, be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$20 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

11. That the application of Mr. Mario Mirabelli, owner(s) of 37 King William Street, to retain the following encroachment(s) on the road allowance of King William Street consisting of 1 areaway 1.26m (4.2') by 3.5m (11.5') by 2.4m (7.9') deep, be approved, during the pleasure of City Council, provided:



- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$68.45 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
12. (a) That the present owner of 23-25 King William Street, Mr. Phillip Martin, be advised that pursuant to the Agreement respecting Areaways, Agreement No. 13956 N.S. registered on January 17, 1933, be directed to fill in the areaway, to the satisfaction of the Commissioner of Engineering.
- (b) That upon the removal of the areaway by the owner, to the satisfaction of the Commissioner of Engineering, Agreement No. 13956 N.S. be discharged, to the satisfaction of the City Solicitor, and the appropriate Civic officials be authorized to execute the documents in relation to this discharge.
- (c) That in the event the owner fails to perform the removal of the areaway, to the satisfaction of the Commissioner of Engineering within 14 days of Council's direction, the Commissioner of Engineering be authorized and directed to fill in the areaway at the expense of the owner, in accordance with Section 9 of Streets By-law No. 9329.
13. That the application of Mr. A. A. Lanza, on behalf of the owner(s) of 126 Stinson Street, Glenn Robert Whitehead, to retain the following inadvertent encroachments on the road allowance of:
- 1) Stinson Street, porch and steps, 1.13m (3.7') by 1.37m (4.5') and;
  - 2) Emerald Street, bay window, 0.18m (0.59') by 2.49m (8.18')
- be approved, during the pleasure of City Council, provided:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.



14. That the application of Mr. M. M. Rubenstein, on behalf of the owner(s) of 434 MacNab Street North, Frederick Charles Biczak and Guy Schiavo to retain the following inadvertent encroachment(s) on the road allowance of:

- 1) MacNab Street North, 1 1/2 storey brick building 0.14m (0.45') by 5.28m (17.33')
- 2) MacAuley Street West: i) 1 1/2 storey brick building, 0.15m (0.48') by 2.13m (7.0')  
ii) Frame garage 0.34m (1.1') by 2.74m (9.0')

be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

15. That the application of Mr. S. M. Halpern, on behalf of the owner(s) of 1931 King Street East, Liesl Neuburger, to retain inadvertent encroachment(s) on the road allowance of Rodgers Road, consisting of an existing building, 0.06m (2") by 21.3m (70.0') be approved during the pleasure of City Council, provided:

- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

16. That item 25 of the Sixteenth Report of the Transport and Environment Committee, approved by City Council on September 24, 1985, be rescinded, and that the following be approved:

- (a) That the request of Mr. J. R. Elder, owner of 61 Vine Street, to discharge the encroachment agreement for this address, Instrument No. 218109 C.D. registered on June 30, 1982, be approved subject to the satisfaction of the City Solicitor; and
- (b) That the appropriate civic official be authorized to execute the documents in relation to this discharge.



17. (a) That the Commissioner of Engineering be authorized and directed to issue the necessary purchase order in the amount of \$2 000 to Denron Restoration and Contracting for additional steel repairs to the Emerald Street pedestrian bridge; and  
  
(b) That the Finance Committee determine the method of financing the additional \$2 000 required.
18. That Contrast Newspaper Company be granted permission to place newspaper vending boxes on Local Roads, subject to the policy "Regulating and Controlling Newspaper Vending/Distribution Boxes On The Road Allowance", adopted by City Council on July 27, 1982.
19. (a) That the taxi companies be permitted to continue to use their three parking spaces in front of the Holiday Inn on King Street East; and  
  
(b) That the remainder of the space in front of the Holiday Inn be designated as a "Loading" area for both private and commercial vehicles.
20. That the City Solicitor be directed to prepare a By-law to establish Part 1, Plan 62R-7846, Part 2, Plan 62R-4029 and Block 57 (1' Reserve) Plan 62M-384 as part of Rexford Drive.
21. That the City Solicitor be directed to take the necessary steps to prepare and Register a By-law to incorporate that portion of Block 30, Plan 62M-345, lying immediately south of and adjacent to lots 1 to 11 (both inclusive) in the proposed Ottawa Place (Phase One) Subdivision, into the street allowance for Everest Street.
22. That the City of Hamilton accept title to both Parts 1 and 2 on Plan 62R-7402 and the City Solicitor be directed to take the necessary steps to prepare a By-law to establish Part 1 Plan 62R-7402 and Part 12 Plan 62R-6447 as an extension of Landron Avenue and retain Part 2, Plan 62R-7402 as a 1.0' Reserve.
23. That the City Solicitor be directed to take the necessary steps to prepare a by-law to establish Parts 1 and 2, Plan 62R-5676 as part of Limeridge Road East.
24. (a) That the engineering schedules for the estimated cost of services in "Aspen Estates - Phase 4", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and



- (b) That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (c) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 13(B) of the fourteenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1978 April 25, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners of these lands is Benemar Construction Inc.

25. (a) That the engineering schedules for the estimated cost of services in "Rexford Gardens - Phase 2", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the City's share for the cost of services for this development (\$57 826) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12; and
  - (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - (d) In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 20(b) of the Thirty-third Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1977 December 13, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owners are Abbotsford Homes Limited.

26. (a) That the engineering schedules for the estimated cost of services on Courtland Avenue, as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- (b) That the City's share for the cost of services for this development (\$84 428) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12; and



- (c) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- (d) That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing; and
- (e) That the Real Estate Department and the Solicitor's Department be authorized and directed to prepare the necessary documents for the City to accept the lands required to be established as Reserves and as part of the road allowance on Courtland Avenue (known as Parts 1 to 8 on Reference Plan 62R-7743); and
- (f) That the City Solicitor be authorized and directed to prepare a By-law to establish Parts 1, 3, 5, 7 & 8 on Reference Plan 62R-7743, as part of the Courtland Avenue road allowance, following acceptance by the City of these lands.

NOTE: The owner of the subject lands Ortega Properties Ltd. has applied to the Land Division Committee for approval to create nine (9) single family lots. The severance applications were approved on August 13, 1985, subject to the Applicant entering into a Modified Subdivision Agreement with the City of Hamilton to provide for all standard municipal services in the Courtland Avenue road allowance.

- 27. That the "Banner Specifications" and "Banner Application Form", appended hereto, be approved.
- 28. (a) That the City Solicitor be authorized to make an application to a County Court Judge under section 82 of the Registry Act, R.S.O. 1980 for an order to close the unopened road allowance of Newlands Road, between Dumbarton Avenue and Greenhill Avenue; and
- (b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under, Section 57 of the Surveys Act, R.S.O. 1980; and
- (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the street; and
- (d) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.



29. (a) That the City Solicitor be directed to prepare a by-law for the stopping-up and closing of Greenhill Avenue between approximately 70m east of Rosseau Road to the division line between lots 33 and 34, pursuant to Sections 298(1)(c) and 316 of the Municipal Act R.S.O. 1980; and
- (b) That the City Clerk be directed to publish a notice pursuant to section 301 of the Municipal Act R.S.O. 1980, of City Council's intention to pass the By-law; and
- (c) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act; and
- (d) That the City provide the Region with an easement 20.1m wide over their existing sewer and watermain plant within the proposed closure limits.
30. That the application of Mr. D. Freeman, City Architect, on behalf of the Arena "Opening Day Committee", to display a promotional banner on Main Street West which reads,

"Grand Opening Victor Kennedy Copps Arena - Trade Centre  
-Saturday, November 30, 1985"

from November 11, 1985, to November 18, 1985, be approved, subject to the following conditions:

- (a) That the applicant pay a \$100 installation fee; and
- (b) That the design and construction of the banner conform to the standards established by the Commissioner of Transportation and the Department of Public Works; and
- (c) That the applicant submit a drawing(s) to the Commissioner of Transportation showing the subject matter and message content of the banner, prior to fabrication.
31. (a) That Jackson's Lane be upgraded at an estimated cost of \$10 000; and
- (b) That staff be directed to put \$10 000 into the draft 1986 current budget so that the Public Works Department can carry out the work in 1986.

NOTE: The proposed upgrading of Jackson's Lane is to include the following:

- 1) Widening of the entrance at Lake Avenue to 7.0m (23 ft.) for a distance of 15m (50 ft.) easterly from Lake Avenue



- 2) Building up of the lane to the level of Lake Avenue by the addition of backfill to provide a level surface from Lake Avenue to approximately 15m (50 ft.) easterly including surface treatment.
  - 3) Surface treatment to be from Lake Avenue to the Easterly limit of the City's responsibility
32. That the existing "Alternate Side Parking" regulation on the south leg of Ravenbury Drive, west of Rondeau Street and on the westerly leg of Ravenbury Drive be switched, such that parking is prohibited;
- (a) on the south and west sides of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and
  - (b) on the north and east sides of the street from the 16th to the last day of April, May, June, July, August, September, October and November.
33. (a) That a "permit parking" regulation be implemented on the west side of East 25th Street, commencing at a point 82 feet south of Concession Street and extending to a point 319 feet southerly therefrom; and
- (b) That the Director of Traffic Services be authorized to issue one time-limit exemption permit to each of the first ten applicants and any additional permits (to a maximum of 12) on a first come first serve basis.
34. That the following account transfers be authorized:
- \$6 000 from: 0345-12-23 (Operating Supplies, Traffic Signals)  
to: 0345-04-75 (Operating Equipment) and
  - \$3 800 from: 0345-31-23 (Operating Supplies, Traffic Signs)  
to: 0345-04-75 (Operating Equipment)
35. That Council authorize the following account transfers for 1985 Traffic Department accounts in order to maintain the delivery of traffic maintenance services in accordance with current level-of-service criteria:



<u>Credit Account</u>	<u>Debit Account</u>	<u>Amount</u>
<u>Salaries and Wages</u>		
0345-06-01 General Activities	0345-31-01 Traffic Signs	\$19 900
0345-06-01 General Activities	0345-40-01 Parking Meters	\$9 600
0345-06-01 General Activities	0345-20-01 Pavement Markings	\$7 200
0345-06-01 General Activities	0345-12-01 Traffic Signal Mtce	\$5 600
<u>Material</u>		
0345-40-23 Parking Meters	0345-31-23 Traffic Signs	\$3 000

NOTE: These adjustments are within the 1985 Traffic Department budget and no additional funds are being requested.

36. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Kingslea Drive, commencing at a point 219 feet south of Broker Drive and extending to a point 50 feet southerly therefrom.
37. That stopping be prohibited on the east side of Belwood Avenue, commencing at Alpine Avenue and extending to a point 50 feet southerly therefrom.
38. (a) That Council approve an extension of the temporary appointment of a By-law Investigator from 1985 November 01 to 1985 December 31, subject to the incumbent being unable to return to work during that time period; and
  - (b) That an amount of \$5 000 be transferred from Account 0345-0101 (Salaries and Wages - Administration) to Account 0345-0201 (Salaries and Wages - Design and Engineering).
39. (a) That a four-way stop be implemented at the intersection of Bond and Marion Streets; and
  - (b) That a 40 k.p.h. speed limit be implemented on Bond and Marion Streets; and
  - (c) That a "No Left Turn" off Longwood Road on to Marion Street, from 8:00 a.m. to 10:00 a.m. and from 2:00 p.m. to 5:00 p.m. regulation, be implemented.
40. That the stop signs at the 90 degree turn in the roadway where Britannia Avenue meets Oriole Crescent, be removed.



41. (a) That a School traffic officer be assigned to the intersection of John Street North and Picton Street East; and
- (b) That the Finance Committee be requested to recommend the method of financing the amount of \$1 270.
42. (a) That a school traffic officer be assigned to the intersection of King Street East and Wexford Avenue; and
- (b) That school signs be erected and crosswalks painted at this location.

NOTE: Sufficient funds are available in the 1985 budget.

43. That leave be granted to introduce the following bills:

- (a) A-53 By-law to close and sell Beta Street, from Burlington Street to C.N. Right-or-Way
- (b) A-54 By-law to close and sell a portion of Young Street, between 213 and 225 Young Street
- (c) A-55 By-law respecting the construction of Local Improvements on Upper Kenilworth Avenue, from Carson Drive to Landron Avenue - \$270 000
- (d) A-56 By-law respecting the construction of local improvements on a concrete alley in the block bounded by Rosslyn Avenue, Campbell Avenue, Balmoral Avenue and Cannon Street - \$48 000
- (e) A-57 By-law to amend By-law 66-100 to Regulate Traffic
- (f) A-58 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary

1985 October 21





THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Department of Transportation  
71 Main Street West, Hamilton, Ontario L8N 3T4 (416)526-4277

ID # 1358D

Banner Application Form

T103-67  
Date

Organization: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Agents Name: \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone No. \_\_\_\_\_

Date requested for banner display From \_\_\_\_\_ To \_\_\_\_\_

Message content/wording on the banner:

Conditions and Requirements for Banner Installations:

- 1) All applicants shall pay a \$100 installation fee. Cheque to be made payable to the City of Hamilton, c/o Dept. of Public Works.
- 2) Maximum duration of banner display is two (2) weeks.
- 3) Banners will be installed on Monday mornings, by the Department of Public Works.
- 4) Applicants must indemnify and save the City of Hamilton and the Region harmless from all actions, causes of actions, interest, claims, demands, costs, damages, expenses and loss.
- 5) Applicants shall provide proof of public liability and property damage insurance of at least \$1,000,000.00 naming the City of Hamilton and the Regional Municipality of Hamilton-Wentworth as added insured parties, with a provision for cross liability. Forward proof of liability insurance to the Department of Transportation, 5th floor, Hamilton City Hall, 71 Main St. W.
6. The design and construction of the banner shall conform to the attached Banner Specifications. Banners will not be erected that do not conform to the specifications.
7. Applicants must submit a drawing(s) to the Commissioner of Transportation, showing the subject matter and message content of the banner, prior to fabrication. Advertising banner subject matter shall relate to a charitable, community or philanthropic undertaking or event.
- 8) Applicants should contact Mr. C. Harason at 526-4279:
  - i) for any questions you may have relating to this application, and banner fabrication.
  - ii) when your banner is ready for installation.

Please sign below, and return your banner application, drawing(s) and installation fee, to this department, allowing sufficient time to forward your application to the Transport and Environment Committee, and to City Council for approval.

The secretary of the Committee will notify all applicants of Council's decision.

Date \_\_\_\_\_ Name \_\_\_\_\_

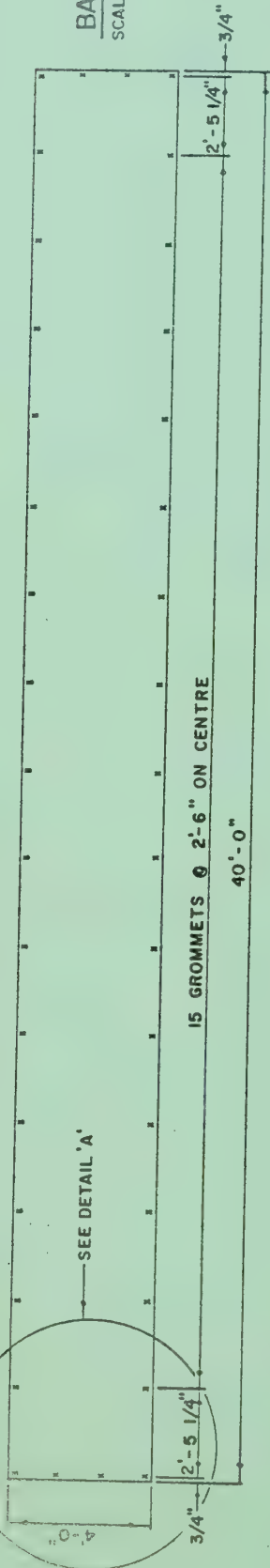
OFFICE USE ONLY:

APPROVED BY CITY COUNCIL \_\_\_\_\_

\_\_\_\_\_  
R. C. Prowse, Secretary  
Transport & Environment Committee

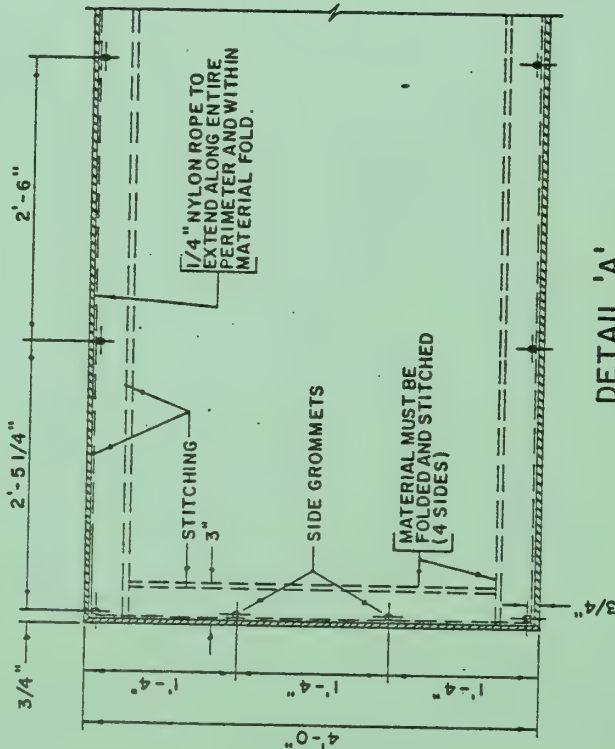


BANNER  
SCALE 1/4" = 1'-0"



SPECIFICATIONS:

1. MATERIAL SHALL BE MADE OF DUCK CANVAS OR OF A MATERIAL WITH AN EQUIVALENT STRENGTH. BANNER SHALL BE MADE FROM ONE CONTINUOUS PIECE OF MATERIAL.
2. PROVIDE 15 - 25 WIND HOLES @ 4" DIAMETER.
3. INSIDE DIAMETER OF GROMMETS SHALL BE 1/2".



DETAIL 'A'  
SCALE 3/4" = 1'-0"

THE REGIONAL MUNICIPALITY OF HAMILTON - WENTWORTH  
DEPARTMENT OF TRANSPORTATION

BANNER SPECIFICATIONS

DIRECTOR

REVISION

DATE  
8510 08

SCALE

AS NOTED

APPROVED

*J. J. Ravello*

FOR COMMISSIONER OF TRANSPORTATION

DRAWING No.











## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its **TWENTY-FIRST** Report for 1985 and respectfully recommends:

1. (a) That as recommended by the New Crystal Palace Committee, the Waterfront Parks Advisory Sub-Committee, and the Consultants, the LAX Property be selected as the site of the New Crystal Palace.
- (b) That the New Crystal Palace Committee be authorized to precede to step III and IV of the planning which are as follows:

### Step III

- (a) That the dimensions required for the proposed structure be prepared.
- (b) That a competition be held to establish the design.
- (c) That a model be developed.

### Step IV

- (a) That the New Crystal Palace Committee be given the authority to work with the Consultants on the positioning of the structure on the Waterfront.

2. Approval of the awarding of the following contract:

### THE ROWAN SPRINKLER CO. LTD, ST CATHARINES, ONTARIO.

To provide all labour, material and equipment necessary for the installation of a sprinkler system at the Military museum, Dundurn Castle, Hamilton, Ontario, in accordance with the specifications issued by the Director of Purchasing and Vendors Tender for the total sum of \$31,340.00, all charges included.

NOTE: Lowest of 6 tenders received. Funds provided for in Account No. 0408-U55155.

This purchase was processed in accordance with the Emergency Procedures of the City's Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman, or the Chief Administrative Officer and is at this time being reported to City Council for formal ratification.

3. That approval be granted to use a portion of Wellington Park for the installation of the "King Gate" - Downtown Action Plan Gateway, subject to the development being in accordance with concept plan appended hereto, as Schedule "A".

4. That the City enter into a lease agreement satisfactory to the City Solicitor and the Director of Culture and Recreation with "Ski-View Network" to provide commercial advertising panels on the towers of Chedoke and King's Forest Ski Areas for the 1985-86 operating season, subject to terms and conditions including the following:
  - i) That the brackets and panels will be erected and maintained at the "Network's" expense and the number, placement and installation be subject to the Parks Division, with due consideration to user safety and aesthetics of the ski area.
  - ii) That the type of commercial advertising contained on the panels be subject to City approval.
  - iii) That the amount of revenue to be paid to the City by Ski-View Network for this purpose be \$131.25 per tower utilized.
5. That in accordance with the unanimous recommendation of the Transport and Environment Committee, the property known as 308-312 Glenholme Avenue be designated as a parkette.
6. (a) That the licence agreement between the City and the owner of Cordial Catering to operate the MacNab Arms Restaurant at Dundurn Castle be amended by changing "507600 Ontario Limited c.o.b. Cordial Catering" to "Victoria Catering" to allow the same owners to continue to operate the restaurant until the agreement expires in January, 1986.  
  
(b) That this approval be subject to the owners obtaining the necessary changes naming "Victoria Catering" on all insurance and Workmens Compensation documents relative the MacNab Arms Restaurant.

Respectfully submitted

Alderman, B. Hinkley, Chairman  
Parks and Recreation Committee

L. Dale, Acting Secretary  
1985 October 10  
/dg



[illegible]

KING STREET EAST

# KING GATE











## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its  
TWENTY-SEVENTH Report for 1985 and respectfully recommends:

1. That approval be given to Zoning Application 85-70, P. and E. Herbert, owners, requesting a modification to the "C" (Urban Protected Residential, etc.) District regulations, for property located at No. 920 Concession Street, as shown on the attached plan marked as APPENDIX "A", on the following basis:
  - i) That the "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
    - a) Notwithstanding paragraphs (f) and (h) of Section 2.(2). H.(iii) of By-law No. 6593, hairdressing shall be permitted as a home occupation:
      - (1) carried on by not more than one Hairdresser having a principal and permanent place of residence on the premises; and,
      - (2) providing for not more than one comb-out centre and one hair styling sink.
  - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-941, and that the subject land on Zoning District Map E-35 be notated S-941;
  - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-35; and,
  - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

### EXPLANATORY NOTE:

The purpose of the By-law is to provide for modification to the existing "C" (Urban Protected Residential, etc.) District regulations applicable to property located at No. 920 Concession Street, as shown on the attached key map.

The effect of the By-law is to permit a Hairdressing Salon for one Hairdresser only, to be operated from the residence as a home occupation.

2. A. That approval be given to Application SA-85-10, Squiresgate Holdings and Rose Greenberg, owners, to establish a draft plan of subdivision on the west side of Upper Kenilworth Avenue and north of the proposed Mountain Freeway, subject to the following conditions:
  - i) That this approval apply to the plan prepared by A. J. Clarke, O.L.S., dated June 1, 1985.
  - ii) That the roads be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - iii) That the final plan conform with the Zoning By-law approved under The Planning Act.
  - iv) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - v) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - vi) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  - vii) That the owner acquire the lands between the existing Upper Kenilworth Avenue and the proposal adjoining the easterly limits of the property and incorporate the lands as part of Lots 37 to 46, inclusive, and part of Street "A".
  - viii) That the owner comply with the residential development standards to control the effects of freeway noise as adopted by City Council.
  - ix) That the owner dedicate to the Regional Municipality of Hamilton-Wentworth a 15 m wide easement for Berm and Noise Barrier purposes along the southerly limit of Lots 4 to 6, inclusive, and 14 to 24, inclusive, all adjoining the proposed Mountain Freeway.
  - x) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.



- xi) That a subdivision agreement to be entered into by the Corporation of the City of Hamilton, and the owner, to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-10), Squiresgate Holdings and Rose Greenberg, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- B. That approval be given to Zoning Application 85-39, Ideal Furniture, owners, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for lands on the west side of the proposed extension of Upper Kenilworth Avenue, in the area south of Limeridge Road East, as shown on the attached plan marked as APPENDIX "B", on the following basis:
  - a) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - b) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593, and Zoning District Map E-59B;
  - c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for lands on the west side of the proposed extension of Upper Kenilworth Avenue in the area south of Limeridge Road East as shown on the attached key plan.

The effect of the By-law is to permit the subdivision of the land for the purpose of constructing single-family detached dwellings.

- 3. That approval be given to Zoning Application 85-71, Sumat P. Jain and Raj Jain, owners, requesting a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to property located at the south-east corner of Barton Street East and Kenora Avenue, as shown on the attached map marked as APPENDIX "C", on the following basis:

- i) That subsection 1. of Section 2. of By-law No. 80-181 be amended by adding after clause "(b)", the following new clause "(c)" and "(d)"; which read as follows:
  - a) a maximum of five dwelling units in the same building with a commercial use.
  - b) that dwelling units shall be permitted only in the second storey of the building;
- ii) That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593 applicable to the subject lands, be modified to include the following variance:
  - i) That Section 18A(11)(b) and Section 18A(26) shall not apply.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-707a and that the subject lands on Zoning District Map E-103 be notated S-707a:
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-103; and
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton-Wentworth Planning Area.

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to the lands located at the south-east corner of Barton Street East and Kenora Avenue, as shown on the attached key plan.

The effect of the By-law is to permit a maximum of five dwelling units in the building with the permitted commercial uses, and to restrict the location of the residential units to the second floor of the building.

In addition, the By-law provides for a variance to Section 18A(11)(b) and 18A(26), the "Parking and Loading Regulations" to:

- o permit two parking spaces to be located within 1.5 m (4.9 ft.) of the street line as opposed to the required 6.0 m (19.6 ft.) for that portion of the proposed parking lot located within 3.0 m (9.8 ft.) of a residential district boundary; and,



- o to eliminate the required 3.0 (9.8 ft.) setback from an adjacent residential district for the established easterly access driveway.

4. That approval be given to Zoning Application 85-74, Diodoro Alessandrino, owner, for a change in zoning from "RT-10" (Townhouse) District, and "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small lot Single-Family Detached) District for property located at No. 1254 Upper Gage Avenue, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- i) That the lands shown as Block "1" be rezoned from "RT-10" (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District;
- ii) That the lands shown as BLOCK "2" be rezoned from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-38B;
- iv) That the Quinndale Neighbourhood Plan be amended by redesignating the subject lands as well as the lands immediately to the south and west from "Attached Housing" to a "Single and Double" residential designation; and,
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE:

The purpose of the By-law is to provide for the following changes in zoning for property located at 1254 Upper Gage Avenue, as shown on the attached key map on the following basis:

- Block "1" change from "RT-10 (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District; and,
- Block "2" change from "D" (Urban Protected Residential - One and Two-Family Dwellings, etc) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit the establishment of five building lots for small lot single-family detached dwellings, with two lots fronting on Rexford Drive and three lots fronting on Upper Gage Avenue.

5. bb That approval be given to Zoning Application ZA-85-75 by Greenhill Housing Co-Operative Corporation and Wentworth Condominium Corporation #10, owner, for a further modification to the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to property located at No. 350 Quigley Road as shown on the attached plan, marked as APPENDIX "E" on the following basis:

1. That the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the subject property be modified to include the following variances as special requirements:

i) That notwithstanding Section 11(i)(xi) of Zoning By-law No. 6593, a restaurant, limited to a maximum of 28 seats, shall be permitted in the existing building provided that all of the following conditions are complied with:

a) Access shall be only from within the interior of the building; and,

b) No indication of the existence or availability of the subject use, whether by way of sign, display or otherwise shall be visible from the outside of the building.

ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-322a, and that the subject lands on Zoning District Map S-98 be notated S-322a;

iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and zoning District Map E-98; and,

iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE:

The purpose of the By-law is to further modify the "E" (Multiple Dwellings, Lodges, Clubs, etc.) District regulations applicable to the property located at No. 350 Quigley Road as shown on the attached key plan.

The effect of the By-law is to permit a restaurant (i.e. coffee shop) limited to 28 seats in the existing building.

In addition, the By-law provides that:

o access to the restaurant shall be from the interior of the building only; and,



- o no sign, display or other form of advertising indicating the existence or availability of the restaurant shall be visible from the outside of the building.e

6. That approval be given to City Initiative 85-M, to establish a modification to the "KK" (Restricted Heavy Industrial) District regulations applicable to property located on the west side of Centennial Parkway North, in the area south of the Queen Elizabeth Interchange, as shown on the attached map marked as APPENDIX "F" on the following basis:

- i) That the "KK" (Restricted Heavy Industrial) District regulations as contained in Section 17A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special provision:
  - a) that notwithstanding Section 17A (1) a retail/warehouse furniture and appliance store shall be permitted.
- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-942, and that the subject lands on Zoning district Map E-102 be notated S-942;
- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-102.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**EXPLANATORY NOTE:**

The purpose of the by-law is to provide a modification to the established "KK" (Restricted Heavy Industrial) District regulations for property located on the west side of Centennial Parkway North in the area south of the Queen Elizabeth Interchange, as shown on the attached key map. The effect of the By-law is to permit the construction of a retail/warehouse furniture and appliance store.

7. That Amended Zoning Application 85-73 DiCenzo Construction Company Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-10" (Townhouse) District, for property located on the south side of Rymal Road East, east and west of the proposed extension of Upper Gage Avenue, be denied for the following reason:

It is considered that the proposed development would be inappropriate.

8. That Zoning Application 85-76, Cadillac Fairview Corporation Limited, lessee, requesting a change in zoning from "AA" (Agricultural) District to "G-3" (Public Parking Lots) District for a portion of Ontario Hydro Electric Transmission corridor, located north of Limeridge Road East between Upper Wentworth Street and Upper Sherman Avenue, to permit additional parking for the proposed expansion of Limeridge Mall, be denied for the following reason:

It is considered that the proposal is not compatible with adjacent residential development.

9. i) That approval be given to Official Plan Amendment No. 32, which would incorporate site plan road widening policies in the Hamilton Official Plan as identified in APPENDIX "G".
- ii) That the City Solicitor be directed to prepare a By-law to adopt the Amendment in (i) above, for submission to the Minister of Municipal Affairs for final approval.

**EXPLANATORY NOTE:**

The new Planning Act requires that, if a Municipality intends to secure road widenings as a condition of site plan approval, the extent of such widenings must be shown or described in the Official Plan.

10. i) That approval be given to Official Plan Amendment No. 28 which redesignates both sides of Upper James Street (from south of Rymal Road to the City Limits) from Residential to Commercial.
- ii) That the City Solicitor be directed to prepare a By-law to adopt the Amendment in (i) for submission to the Minister of Municipal Affairs for final approval.
- iii) That staff be directed to finalize the Ryckman's Neighbourhood Plan and begin work for the Mewburn Neighbourhood Plan.
- iv) That Staff be authorized and directed to advise Dominion Stores Limited (with respect to their application ZA-83-22), to submit the appropriate details and drawings, and market study (as required by Policy A.2.2.9. of the Official Plan) if they wish their application be reconsidered by the Planning and Development Committee.



#### EXPLANATORY NOTE:

Planning and Development Committee, at its meeting of February 13, 1985, directed staff to undertake the appropriate steps to seek public input on Draft Official Plan Amendment No. 28, for the Upper James Street corridor. Accordingly, a public meeting was held March 27, 1985. Generally, input from the public and agencies into this Amendment has been favourable, and it is, therefore appropriate for Council to adopt the Amendment and recommend it to the Minister of Municipal Affairs for approval.

It should be noted that consideration and approval of specific Zoning Applications along the Upper James Street Corridor, in accordance with Official Plan Amendment No. 28 was deferred until Official Plan Amendment No. 22 (deleting the Staging policies in the Official Plan) was dealt with by the Ontario Municipal Board. The Board, at its hearing September 12, 1985, gave a verbal decision approving O.P.A. #22.

11. (a) That approval be given to Application SA-85-09, Mrs. C. Digirenti and Mrs. M. Walsh, owners, to establish a draft plan of subdivision located on the east side of Upper Paradise Road North of the future Mountain Freeway, subject to the following conditions:
1. That this approval apply to the plan prepared by MacKay, MacKay and Peters Limited, dated June 18, 1985, revised to show a block for street widening abutting Upper Paradise Road.
  2. That the owners apply for Committee of Adjustment approval for minor variances affecting the location of the existing dwellings or Council approval for by-law amendment to permit the proposed reduced side yards.
  3. That the road allowance and widening for Upper Paradise Road be dedicated as public highways on the final plan.
  4. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  5. That the final plan conform with the Zoning by-law approved under The Planning Act.
  6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.

7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot and block in the final plan.
  9. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-09), Mrs. C. Digirenti and Mrs. M. Walsh, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
12. That approval be given to application SA-895-12, Anna Capri Manor, D'Cenzo Construction Company Limited, owner, to establish a draft plan of condominium located at the south-east corner of Anna Capri Drive and Upper Gage Avenue, subject to the following condition:
- i) That this approval apply to the plan prepared by A. J. Clarke and Associates, dated June 18, 1985, showing 29 units.
13. i) That the request for a waiver for a Feasibility Study and Impact Analysis for lands located on Part Lot 26; 27; and 28 Concession 4 in the City of Hamilton, known as Nash Orchard Heights, be granted; and
- ii) That the City Clerk be authorized to forward a copy of Council's resolution regarding (i) above, to the Regional Council for their concurrence

**EXPLANATORY NOTE:**

Subsection A.3.2. - Environmentally Sensitive Area of the Hamilton Official Plan states that the requirement of a Feasibility Study and Impact Anyalysis in Environmentally Sensitive Area may be waived by Council with concurrence of Regional Council, where warranted.

14. i) That approval be given to the creation of an "Industry Advisory Board" consisting of two representatives of industry, a representative from



the Chamber of Commerce, a representative from the labour council, an environmentalist, representatives from the Planning and Development Department, Economic Development Department and from the Planning and Development Committee to meet periodically to:

- o review planning issues relating to industrial concerns including but not limited to Official Plan Amendments, Neighbourhood Plans, Zoning By-law changes and Site Plan Applications, etc.; and,
  - o advise the Planning and Development Committee of any issues which may require its consideration.
- ii) That staff be directed to prepare a Terms of Reference defining such things as the purpose, composition and mandate of this "Industry Advisory Board, and identify, on a preliminary basis, some issues for discussion.

**EXPLANATORY NOTE:**

The City of Hamilton Planning and Development Committee sponsored an "Industrial Policy Seminar" on September 4, 1985 at the Hamilton Convention Centre.

15. That the Review Authority be authorized to approve the addition of a small outdoor performing stage in the publicly usable open space of the Jackson Square Plaza in Phase Two, in conformance with the plans submitted to the Review Authority.
16. (a) That the Department of Community Development be directed to process a Designated Property Grant to Ms. Janet Snelgrove at 107 George Street, in the amount of \$679.00.
- (b) That the Department of Community Development be directed to process a Designated Property Grant to Mr. Robert G. Harris at 109 George Street in the amount of \$733.00.
17. (a) That the amount of \$90,000.00 be provided to supplement the City of Hamilton's Handicap Programme. (For the information of the Planning and Development Committee this amount was included and approved in the Department's 1985 - 1989 Capital Budget for funding in 1985.
- (b) That the Finance Committee be requested to recommend a method of financing Capital Budget #35007.

18. The Corporation of the City of Hamilton accept the sum of \$41,868.67 as cash payment in lieu of 5% dedication in connection with "Chateau Estates - Phase 2", final plan of subdivision.

Note: These lands are located west of Magnolia Drive and south of Mohawk Road West in the Fessenden Neighbourhood, Hamilton.

19. Approval of the awarding of the following contract to Atropex Inc., Toronto to supply and install all the panels, components and furniture in accordance with specifications issued by the Director of Purchasing, and changes made by the Building Department regarding quantity and design and Vendor's Tender for a total sum of: \$87,597.88.

Note: Lowest of Tenders. Funds provided on account 0344-01-74

20. That leave be granted to introduce the following Bills:

Bill C-104	By-law to Establish Interim Control.
Bill C-105	By-law to Amend Zoning By-law No. 6593 Respecting Land Located to the Rear of Municipal No. 1209 Upper James Street.
Bill C-106	By-law to Establish Site Plan Control Respecting Land Located to the Rear of Municipal No. 1209 Upper James Street.
Bill C-107	By-law to Amend Zoning By-law No. 6593 Respecting Land Located in the Area South of Stone Church Road West and West of Upper Paradise Road.
Bill C-108	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 432 to 440 Main Street West.
Bill C-109	By-law to Establish Site Plan Control Respecting Land Located at Municipal Nos. 432 to 440 Main Street West.
Bill C-110	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 986 Upper Wentworth Street.
Bill C-111	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal Nos. 549 Wilson Street and 79 and 81 Sanford Avenue North.



Bill C-112	By-law to Establish a Site Plan Control Respecting Land Located at Municipal Nos. 549 Wilson Street and 79 and 81 Sanford Avenue North.
Bill C-113	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 121 Hughson Street North.
Bill C-114	By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on Both Sides of the Proposed Extension of Rexford Drive, in the Area North of Stone Church Road East.
Bill C-115	By-law to Designate the Property located at Municipal No. 913 Beach Boulevard as Property of Historic and Architectural Value and Interest.
Bill C-116	By-law to Adopt Official Plan Amendment No. 28 Respecting Lands Fronting on Upper James Street from the East-West and North-South Transportation Facility to the City Limits, and Fronting on Rymal Road in the Vicinity of Upper James Street.
Bill C-117	By-law to Adopt Official Plan Amendment No. 32 Respecting an Amendment to Incorporate a Policy regarding Future Road Widening under Site Plan Control in the Official Plan.
Bill C-118	By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the East Side of Berkindale Drive at Swan Street,
Bill C-119	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the North-East Corner of Quaker Crescent and Queen Victoria Drive.
Bill C-120	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at No. 60 Elgin Street.
Bill C-121	By-law to Amend Zoning By-law No. 6593 Respecting Land Located at the South-East corner of Barton Street East and Kenora Avenue.

Bill C-122

By-law to Amend Zoning By-law No. 6593  
Respecting Land Located on the West Side  
of Centennial Parkway North, in the area  
South of the Queen Elizabeth Interchange.

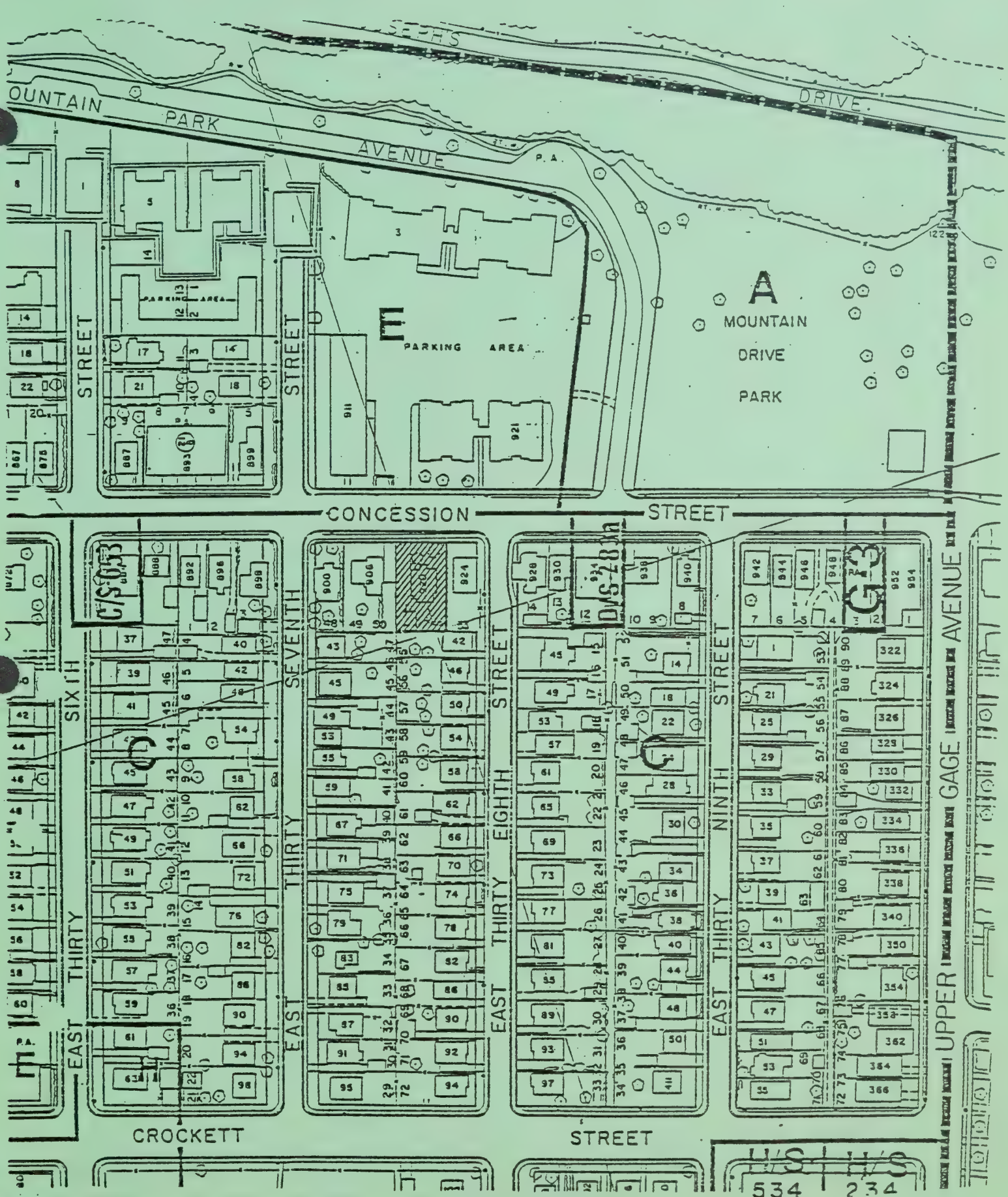
Respectfully Submitted,

Alderman W. M. McCulloch, Chairman  
Planning and Development Committee

John D. Thompson, Secretary  
Planning and Development Committee

JDT:tb



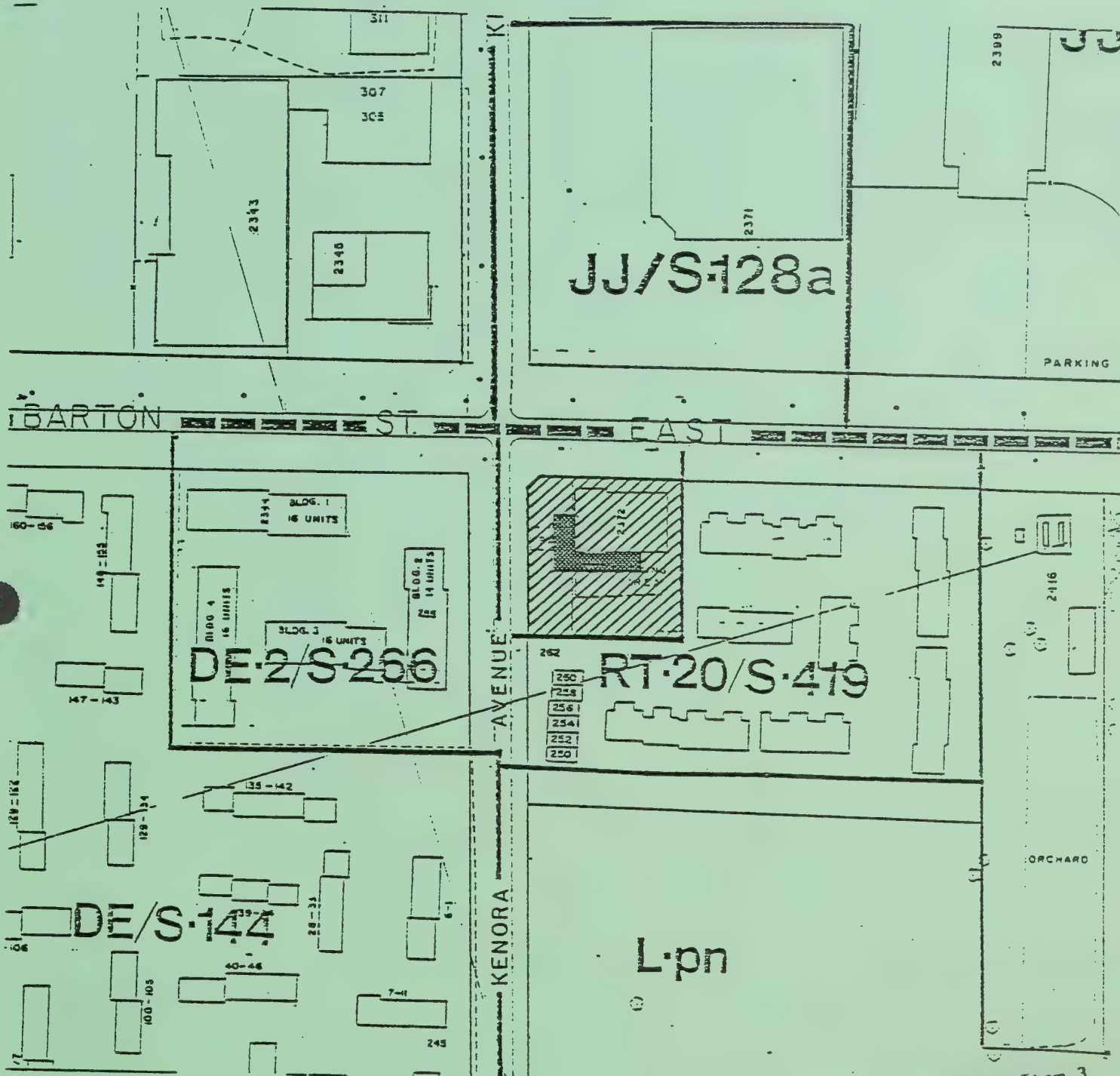


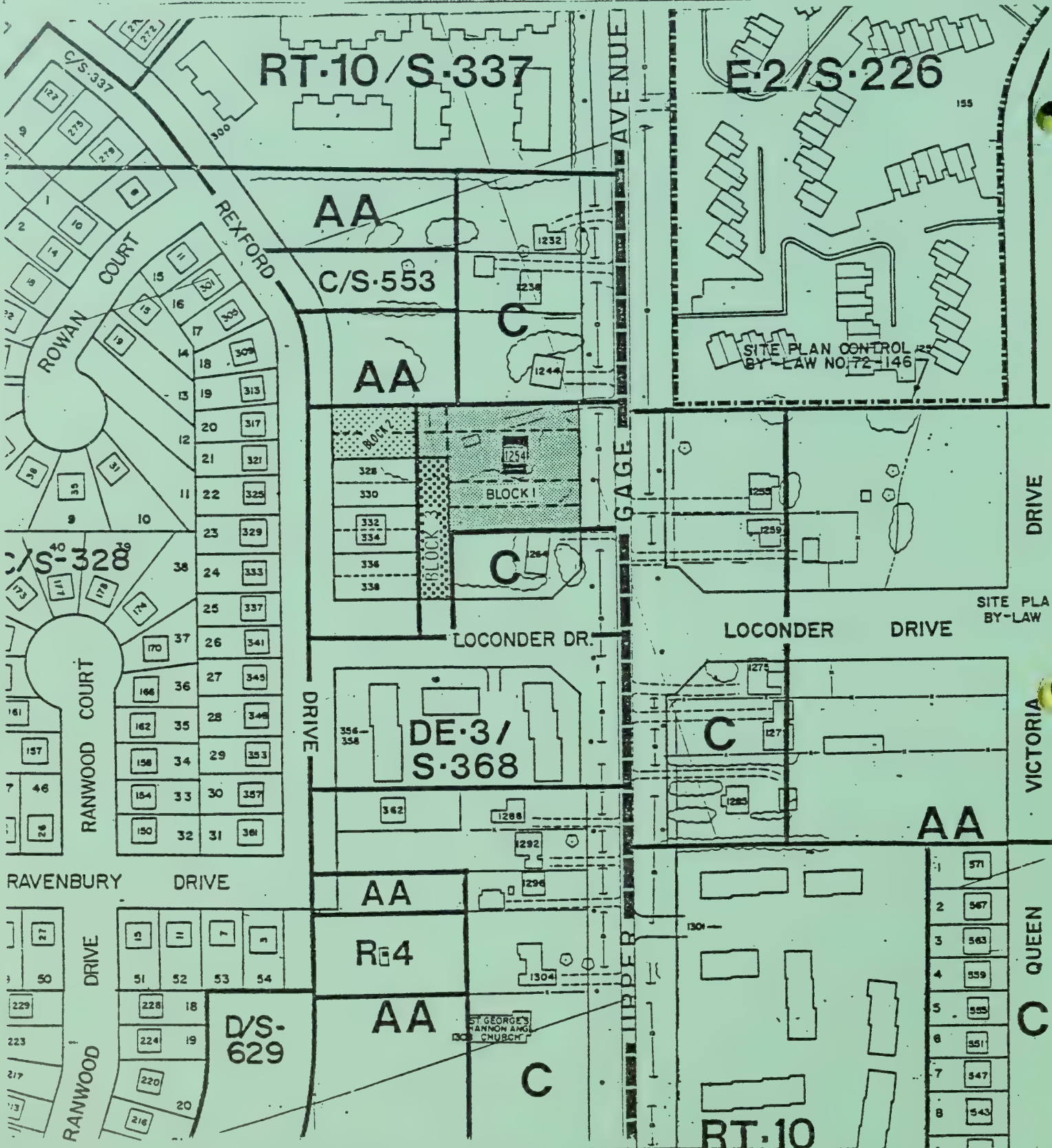
SITE OF THE APPLICATION

APPENDIX "A" as referred to in Item 1 of the Twenty-Seventh Report of the Planning & Development Committee.









**BLOCK 1** Change in Zoning from "RT-10" (Townhouse) District to "R-4" (Small Lot Single-Family Detached) District.

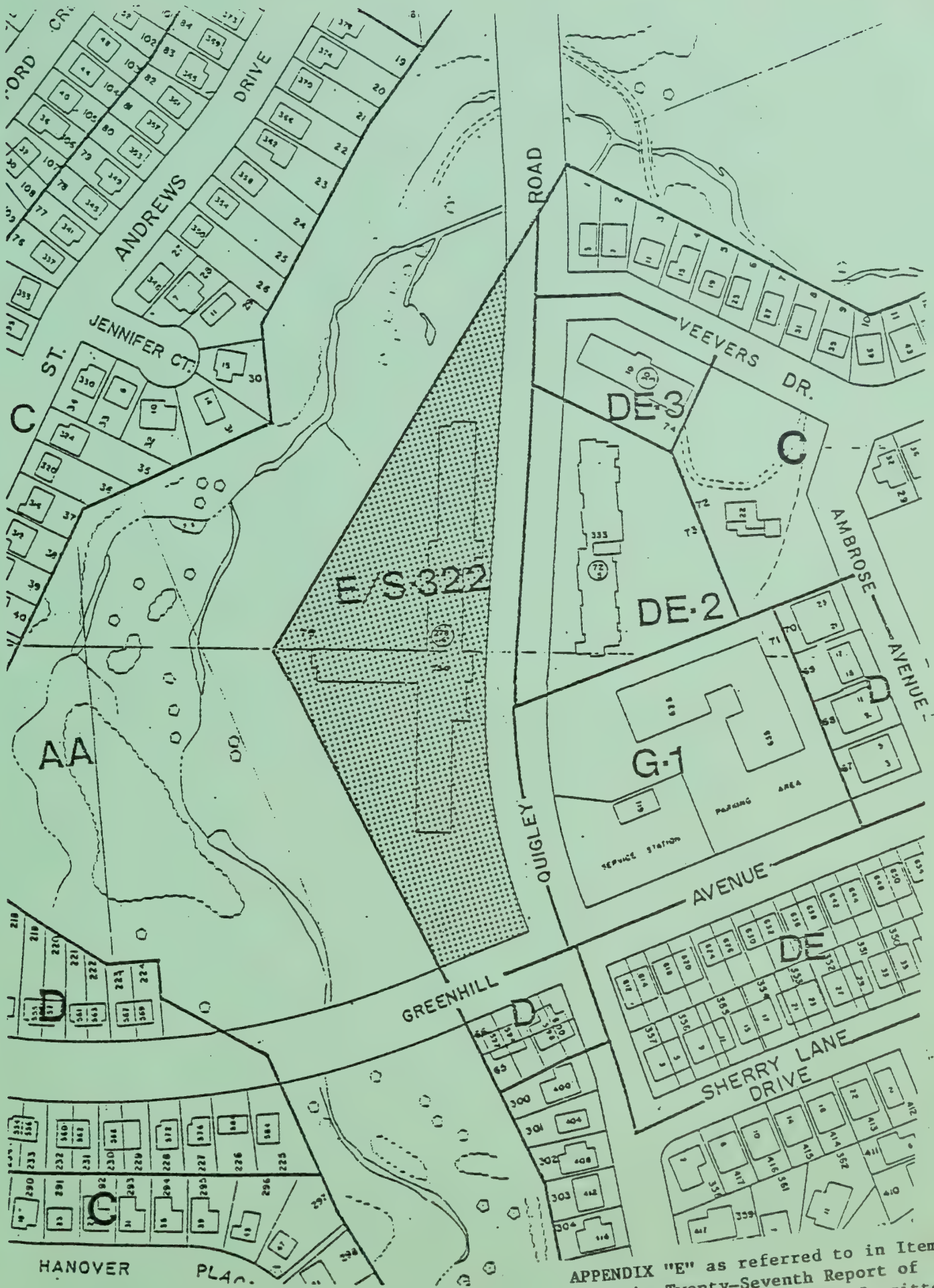
**BLOCK 2** Change in Zoning from "D" (Urban Protected Family Dwellings, etc.) District to "R-4" (Small Lot Single-Family Detached) District.

**BLOCK 3** Change in Zoning from "RT-10" (Townhouse) District to "C" (Urban Protected Residential, etc.) District.

APPENDIX "D" as referred to in Item 4 of the Twenty-Seventh Report of the Planning & Development Committee.





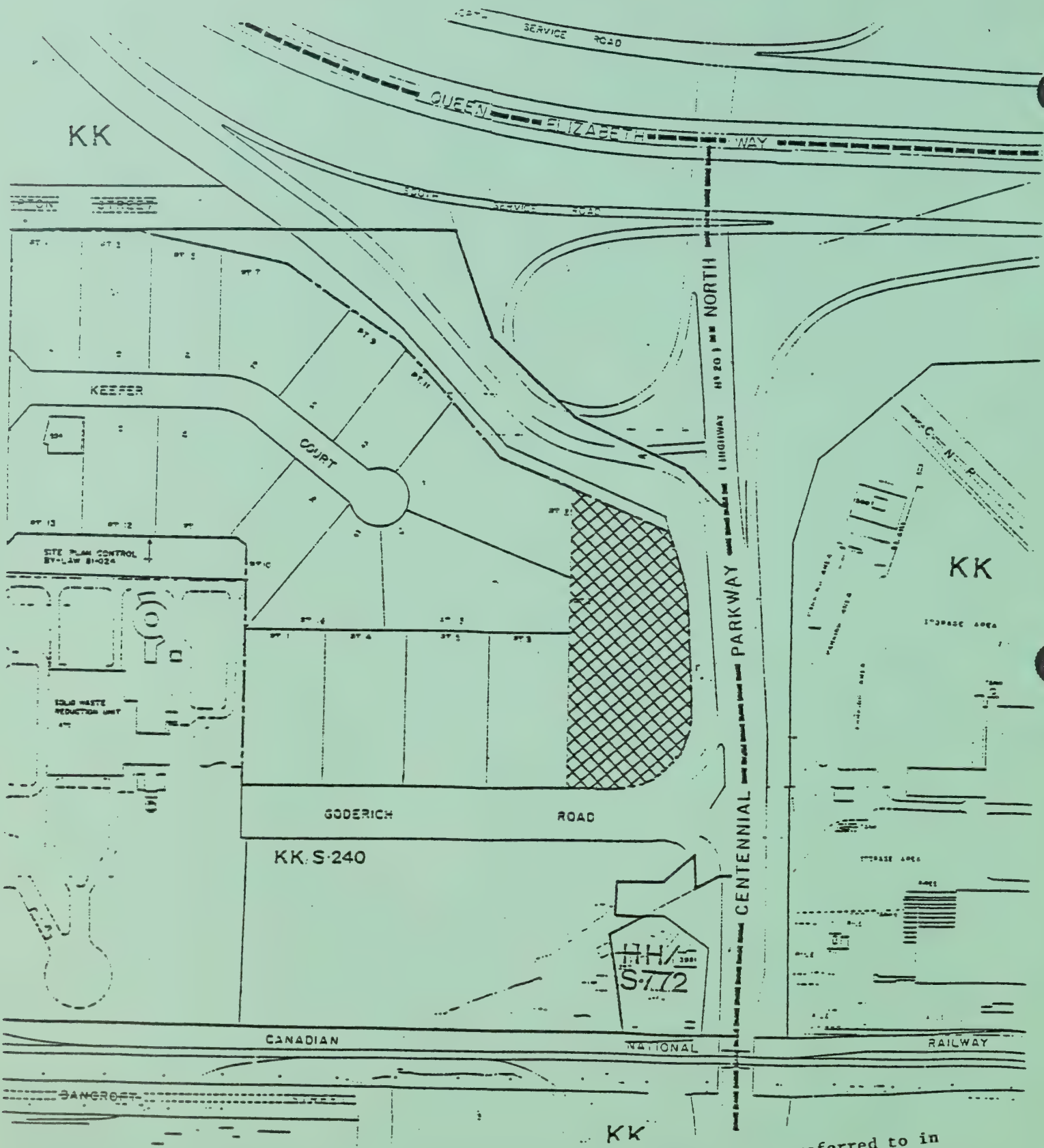


APPENDIX "E" as referred to in Item 5 of the Twenty-Seventh Report of the Planning & Development Committee.



SITE OF THE APPLICATION



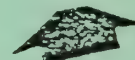


# LEGEND



SITE OF THE APPLICATION

APPENDIX "F" as referred to in Item 6 of the Twenty-Seventh Report of the Planning & Development Committee.



CI 85-M



## PROPOSED OFFICIAL PLAN POLICIES

The following policies pertaining to road widenings under Site Plan approval are proposed at the end of Subsection B.3.1:

" In accordance with the Planning Act, where a property is located in a Proposed Site Plan control area, as defined in Subsection D.3, the following provisions will apply:

- i) Further to Policy 3.1.2 above, Council will require as a condition of Site Plan approval, the dedication of property abutting ROADS with future rights-of-way widths in the south mountain and east end areas of the City, as specified on Schedule "F". In addition, the dedication of property abutting certain ROADS with future rights-of-way widths as defined below will also be required.

	<u>Road</u>	<u>From</u>	<u>To</u>	<u>Future Rights-Of-Way Width (metres)</u>
1)	Bay Street	Perimeter Industrial Road	Main Street	26
2)	Centennial Parkway	Queen Elizabeth Way	Barton Street	36
3)	Cannon Street	Caroline Street	Victoria Avenue	26
4)	King Street	Highway No. 403	Bay	26
5)	King Street	Wellington Street	Victoria Avenue	26
6)	Limeridge Road	150 metres east of West 5th Street	150 metres west of West 5th Street	26
7)	Limeridge Road	150 metres west of Upper James Street	Ridge Street	26
8)	Limeridge Road	150 metres west of Upper Wellington	150 metres east of Upper Sherman	26
9)	Limeridge Road	150 metres west of Upper Ottawa	Mountain Brow Boulevard	26
10)	Main Street	Highway No. 403	Bay Street	26
11)	Queen Street	Main Street	York Boulevard	26
12)	Wellington Street	Claremount Access	Perimeter Industrial Road	26
13)	Wilson Street	James Street	Victoria Avenue	26
14)	York Boulevard	MacNab Street		

APPENDIX "G" as referred to in Item 9 of the Twenty-Seventh Report of the Planning & Development Committee.

- ii) The future rights-of-way widths identified in (i) above are based on the converted metric equivalent from the imperial measurement standard as follows:

<u>Imperial measurement</u>	<u>Exact metric equivalent</u>	<u>Rounded metric equivalent</u>
66 feet	20.117 metres	20 metres
80 feet	24.384 metres	24 metres
86 feet	26.213 metres	26 metres
100 feet	30.480 metres	30 metres
120 feet	36.576 metres	36 metres

Accordingly, the extent of the proposed widening on new ROADS or sections of existing ROADS which have not been previously widened will be calculated based on the rounded metric equivalent. However, on all existing ROADS where previous widenings have occurred, the proposed widening will be based on the exact metric equivalent;

- iii) Where feasible, Council will acquire land through dedication, equally from both sides of the ROAD. However, in the developed areas of the City, it may be necessary to acquire more than half of the total dedication from one side of the ROAD. In such cases, the amount of land to be dedicated from each side of the ROAD, will not exceed one-half of the total proposed widening;
- iv) Where appropriate, Council will require as a condition of Site Plan approval, the dedication of property for daylighting triangles at ROAD intersections. In this regard, the maximum amount of land to be dedicated will not exceed 72 square metres; and,
- v) In certain cases and where deemed necessary Council may require ROAD widenings in addition to the rights-of-way widths specified in (i) above, to provide auxiliary turning lanes, or to provide appropriate access to a specific site, or where cut and fill requirements cannot be achieved within the specified rights-of-way to accommodate the necessary side slopes and/or retaining walls. "









## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its SIXTEENTH Report for 1985 and respectfully recommends:

1. That 1986 May 2-4 be declared as the "36th Annual North American Lithuanian Games Weekend" in the City of Hamilton.
2. That City Council continue to provide Civic Awards for the balance of 1985 for Provincial and Canadian Championships, and that the appropriation for Account No. 0373-10-01, Civic Pins, Medals, and Rings, be increased by \$4,500 (from \$5,700 to \$10,200).
3. That the City purchase an ad on 1985 November 2 in the Hamilton Spectator Supplement on the Hamilton Civic Hospitals at a maximum cost of \$2,000 (to be charged to City Clerk's Advertising Account No. 0322-0112).
4. That the City Solicitor be authorized and directed to amend By-law 85-66 respecting Street Vendors to:
  - (a) Reduce the fee for Street Vendors operating a food stand from \$300. to \$260.
  - (b) Provide when a permit has been granted to a Street Vendor in the current calendar year and the business has not commenced by July 1 of that year, that the Vendors permit be cancelled, the monies refunded and the location reassigned.
5. That the City Solicitor be authorized and directed to prepare a By-law to amend Schedule B of By-law 81-80 to regulate the Hamilton Farmer's Market by deleting Stands 90 and 93 from the Schedule of Fees and increasing the fees for Stand No. 92 from \$122. per month to \$172. per month.
6. That the Hamilton Public Library Board be composed of eleven members appointed by City Council with the following representation:
  - (a) One member to be recommended by the Hamilton-Wentworth School Board.
  - (b) Two members recommended by the Hamilton Board of Education.
  - (c) Two Aldermen.
  - (d) Six Residents of Hamilton.

7. That the City Solicitor be authorized and directed to petition the Provincial Government to amend Section 496 of the Municipal Act, for the purpose of being able to place a lien on properties in circumstances the City deems appropriate, in order to recover tax reductions or tax cancellations granted by the Tax Appeal Review Subcommittee on compassionate grounds.
8. That the City Solicitor be authorized and directed to petition the Provincial Government to amend Section 121 of the Municipal Elections Act, as reenacted by Section 25 of the Municipal Elections Amendment Act, 1982 for the purpose of restricting the giving of and the receipt of election contributions to a period of commencing 3 months immediately proceeding Election Day and concluding 3 months immediately following Election Day.

NOTE: The Committee is concerned that money, goods or services received at any time and in any calendar year may present the appearance of corrupt practice and believe that a limitation of 3 months before and after the date of the Election would not only avoid the appearance of Municipal corruption, but more clearly and directly relate the giving and receipt of money, goods and services to the Election.

9. That the blue/green linear flag design presented to the Legislation Committee at its meeting on 1985 October 22 be approved.

NOTE: The actual flag design is available for viewing in the Office of the Secretary of the Legislation Committee.

10. As recommended by the Mayor's Race Relations Committee approval be granted to send telegrams to:
  - (a) Premier Peterson to encourage him to endorse a voluntary boycott of South African Goods.
  - (b) The Prime Minister of Canada to encourage the Canadian Government to impose economic sanctions against South Africa by discouraging further loans and prohibiting the trade or provision of tools that will increase apartheid.
11. That the letter from the Dundas Heritage Association requesting support for the restoration of the Dundas CN Station be endorsed.
12. Whereas for the past 25 years, no new AM or FM license has been issued to serve the Hamilton Region and whereas Canada's ninth largest city has but one FM station, be it resolved that this Council officially notify the CRTC that the only remaining frequency available to our city be issued to an applicant whose goal is to serve the listeners of the City of Hamilton and our neighbours in Hamilton-Wentworth Region.

Be it further noted that the Council of the City of Hamilton strongly objects to efforts made by applicants to the C.R.T.C. to use the frequency designated for Hamilton to serve an audience outside of the Hamilton area. We encourage broadcasters to serve their license area and recommend that a Hamilton frequency be issued only to a station that will serve Hamilton.

Be it further resolved that this Council ask Regional Council to endorse our recommendation to the C.R.T.C. and that the Mayor of the City of Hamilton or his designate appear before the C.R.T.C. to voice the sentiments of this Council that FM frequency 102.9 MHz be reserved for a station that promises to make Hamilton and Hamilton-Wentworth Region the focal point of its programming.

13. That City of Hamilton support the principle of the resolution from the Town of Valley East in that the method of assessing and collecting taxes is unfair and actually penalizes those citizens who improve their homes in appearance and value, in that these improvements increase the education portion of their property taxes. The following is the resolution from Valley East:

THAT the Town of Valley East request the Minister of Education to change the method in which education taxes are assessed and collected. The present system is unfair and actually penalizes those citizens who improve their homes in appearance and value, for when they do this, their education portion of their property taxes increases;

AND FURTHER; Golden Age Citizens (retired) must still pay education taxes as long as they own property and a home, and this is at a time in life when they can least afford it and after substantial contributions over their working life.

AND FURTHER; the system implemented must not penalize homeowners who make their home and community a better place to live, and take into account the contributions made by those who are Golden Age and retired, and one that would have everyone pay their fair share for education on an equal basis.

THEREFORE BE IT RESOLVED THAT the Minister of Education implement a system where the dollars required would be assessed to all working citizens of Ontario on an equal basis with formulas to ensure part-time workers, commercial enterprises and industry also pay their fair share, and these taxes be collected weekly at source. As well, education tax assessment would cease at the time you retire. A copy of this motion be forwarded to the A.M.O., all municipalities within Ontario, local M.P.'s and M.P.P.'s for support.

14. The following tax adjustments as recommended by the Tax Appeal Review Subcommittee at its meeting held 1985 October 2 be approved:



APPEALSSchedule "A"  
Compassionate

## AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	Total
Year	Year-to-date	Review	Year-to-date
1984	1985	Committee	1985
		Oct. 2, 1985	
<u>\$ 25,659.46</u>	<u>\$ 14,765.00</u>	<u>\$ 1,425.00</u>	<u>\$ 16,190.00</u>

Schedule "B"  
Business

## AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	Total
Year	Year-to-date	Review	Year-to-date
1984	1985	Committee	1985
		Oct. 2, 1985	
<u>\$1,356,461.68</u>	<u>\$1,916,563.36</u>	<u>\$ 83,297.96</u>	<u>\$1,999,861.32</u>

Schedule "C"  
Realty

## AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	Total
Year	Year-to-date	Review	Year-to-date
1984	1985	Committee	1985
		Oct. 2, 1985	
<u>\$ 304,045.91</u>	<u>\$ 222,014.10</u>	<u>\$ 13,568.08</u>	<u>\$ 235,582.18</u>

15. That the following tax adjustments as recommended by the Tax Appeal Review Subcommittee at its meeting held 1985 October 22, be approved:

APPEALSSchedule "A"  
Compassionate

## AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	Total
Year	Year-to-date	Review	Year-to-date
1984	1985	Committee	1985
		Oct. 22, 1985	
<u>\$ 25,659.46</u>	<u>\$ 16,190.00</u>	<u>Nil</u>	<u>\$ 16,190.00</u>

Schedule "B"  
Business

AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	
Year	Year-to-date	Review	Total
1984	1985	Committee	Year-to-date
<u>\$1,356,461.68</u>	<u>\$1,999,861.32</u>	<u>Oct. 22, 1985</u>	<u>1985</u>
		\$ 63,642.87	\$2,063,504.19

Schedule "C"  
Realty

AMOUNT

(1)	(2)	(3)	(4)
Prior		Tax	
Year	Year-to-date	Review	Total
1984	1985	Committee	Year-to-date
<u>\$ 304,045.91</u>	<u>\$ 235,582.18</u>	<u>Oct. 22, 1985</u>	<u>1985</u>
		\$ 26,892.65	\$ 262,474.83

14. That leave be granted to introduce the following bill:

Bill D-21                      Election Contributions and Expenses.

Respectfully submitted,

Alderman V. J. Agro, Chairman  
Legislation Committee

Lynn Dale  
Secretary  
1985 October 22









## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its ELEVENTH Report for 1985 and respectfully recommends:

1. That the firm of Peat, Marwick and Partners not be appointed to conduct an executive search which will include applications from both within and outside the employ of the City of Hamilton on the filling of the position of Director of Systems and Data Processing, at a fee not to exceed \$18,000.00.

The Finance Committee to be requested to recommend the method of financing.

NOTE: The recommendation of the City Treasurer and the Director of Personnel to engage the above firm was defeated by a tie vote.

Information re the above is attached.

2. Approval of the following Memorandums of Agreement:
  - (a) The Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association on the calculation of rates of pay for various classifications in the Hamilton Fire Department, as set out in Schedule "A" attached hereto.
  - (b) The Corporation of the City of Hamilton and Local 1041, C.U.P.E., for the period February 1, 1985, to January 31, 1987, attached hereto as Schedule "B".
3. That the following positions be classified and filled through the normal recruitment procedures:
  - (a) Accounting Supervisor, Hamilton Entertainment and Convention Facilities Inc., Salary Schedule 115: \$29,168.88; \$30,483.96; \$31,855.20; \$33,288.84; \$34,786.96 per annum (rates effective January 1, 1985).
  - (b) Supervisor of Heritage Services, Culture and Recreation Department, Salary Schedule 118: \$37,171.16; \$38,840.88; \$40,589.12; \$42,416.92; \$44,324.28 per annum (rates effective January 1, 1985).
  - (c) Monitor - Admissions, Dundurn Castle, Culture and Recreation Department, Salary Schedule DC-3: \$5.355; \$5.516; \$5.676 per hour (1984 rates).



4. (a) Approval of the establishing of the position of Equipment Foreman (Repairs), Culture and Recreation Department, Salary Schedule 13C: \$22,725.56; \$23,568.48; \$24,533.08; \$25,700.48; \$27,066.52 per annum (1984), Local 1041, C.U.P.E.  
  
(b) That Mr. Orville Theroux be placed in Salary Schedule 13C, and paid \$23,568.48 per annum (second step), effective November 4, 1985.
5. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to October 23, 1985, attached hereto as Schedule "C".
6. That the Hamilton Professional Fire Fighters Association be reimbursed in the amount of \$510.00 for legal fees incurred in connection with charges under The Highway Traffic Act against a fire fighter who was involved in an accident while driving a department vehicle responding to an alarm.

For the information of the members of Council the charges were dismissed.

Respectfully submitted,

ALDERMAN P. COWELL, CHAIRMAN,  
PERSONNEL COMMITTEE.

E. A. Simpson, Secretary  
1985 October 23

SCHEDULE "A" REFERRED TO IN SECTION 2(a) OF THE ELEVENTH REPORT OF THE PERSONNEL COMMITTEE  
Memorandum in the matter of the Calculation of Rates

Various Classification - Hamilton Fire Department

The following shall be in full and final settlement of the three (3) grievances dated December 17, 1985 in the matter of the above subject, effective January 1, 1985.

- a) The calculation of an hourly rate (for purposes of overtime payment) shall be:

$$\frac{\text{Yearly rate for the classification}}{91 \times 10 + 91 \times 14} = \text{Hourly rate}$$

- b) The calculation of a daily rate shall be:

$$\frac{\text{Yearly rate for the classification}}{182} = \text{Daily rate}$$

- c) The payment of bi-weekly salaries shall be based on the calculation presently used in the payment of bi-weekly salaries and that system shall continue in tact.

- d) In the matter of the calculation of the gratuity (termination from the service other than for cause and for the periods stipulated in the sick leave by-law) shall be based on 182 days in the sick leave bank rather than 208 days.

The foregoing shall apply to employees working on a 42 hour shift schedule as appended to the Collective Agreement between the parties as Schedule "H" to the Agreement of January 1, 1983.

The calculation shall continue in effect until such time as a new shift arrangement is agreed to, at which time the parties will negotiate a re-calculation of the rates.

IN WITNESS WHEREOF the Employer has hereunto caused its Corporate Seal to be affixed under the hands of its duly authorized officers, and the Association has caused this instrument to be executed by its proper officers hereunto duly authorized.

SIGNED, SEALED AND DELIVERED this 20th day of September, 1985 in the presence of:

The Corporation of  
the City of Hamilton

The Hamilton Professional  
Firefighters Association

[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_

[Signature]  
[Signature]  
[Signature]  
\_\_\_\_\_  
\_\_\_\_\_

This Memorandum of Agreement made this 30<sup>th</sup> day of September, 1985

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

THE CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 1041  
(Hamilton Civic Foremen's Union)

- I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be February 1, 1985 to January 31, 1987.
- IV The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from February 1, 1984 to January 31, 1985.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above:

Article 8 - Sick Leave, Pension, Group Medical & Hospitalization Plans

1. 8.5 Amend to read:

"The Employer will provide to the employees a Dental Plan with premiums 100% paid by the Employer. That plan to include all procedures as listed in Schedule "C" attached to this Agreement under the terms of the Current O.D.A. Schedule to all employees who have completed 60 working days of service.

2. New Article - 8.6:

"The Union agrees that the Employer may allocate the U.I.C. rebate received for each employee towards the annual cost of benefit plans."

Re-number Old Article 8.6 to read 8.7



3. 10.4 - New Article:

Protests regarding seniority standing must be submitted by the Union in writing to the Director of Personnel within thirty (30) days from the date seniority lists are posted. When proof of error is presented by an employee or his representative, such error shall be corrected, and when so corrected the agreed upon seniority date shall be final. No change shall be made in the existing seniority status of any employee unless concurred in by the Union.

10.4 to be re-numbered 10.5

4. Schedule "A"

Increment raises for Salary Schedule 13C will be altered so that the 1st step is dropped, the second step becomes the first step, etc. The range will now have 4 steps instead of 5.

5. Article 17.2

Amend as follows:

- (i) That grandparents, sister-in-law, and brother-in-law shall be added to the present (a) Section of this article.
- (ii) That the balance of Section (b) shall be deleted.

6. Article 5.1 (a)

Amend as follows:

- (1) That reference in Column 1 and Column 2 to "26 years - 5 weeks and 4 days" respectively, shall be deleted, and,
- (2) (vi) Shall read,  
  
"Six weeks vacation with pay during the calendar year in which the employee completes twenty-six (26) years of service and thereafter".

7. Vision Care

Shall be up-graded from \$50.00 to \$65.00 every two (2) years

8. Wages

Effective February 1, 1985 - 4.25% - added to all rates in Schedule "A"

Effective February 1, 1986 - 4.25% - added to all rates in Schedule "A".

Entered into this 30<sup>th</sup> day of September, 1985, on behalf of:

THE CORPORATION OF THE  
CITY OF HAMILTON

THE CANADIAN UNION OF PUBLIC  
EMPLOYEES, LOCAL 1041  
(Hamilton Civic Foremen's Union)

*Mayor*  
*EA Thompson*  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*Barclay S. Henry*  
*Charles Gibbs*  
*Ronald Laitting*  
\_\_\_\_\_  
\_\_\_\_\_

NOTE - All monies will be paid within 30 days of ratification by the parties, if administratively feasible.

REFERRED TO IN SECTION 5 OF THE ELEVENTH REPORT  
OF THE PERSONNEL COMMITTEE

SCHEDULE "C"

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Leonard Angemi	Rink Attendant	Culture & Recreation	returning to permanent position was temporarily replacing E. Blainey - off sick)	D-5	\$10,706 per hour	Aug. 15/85
Mrs. Sheila Bolton	Control Room Clerk	Parking Authority	replacing Lyn Dolling - resigned	PA-6	\$292.12 per week	Sept. 10/85
Mrs. Crystabelle Buchackert	Stenographer I	Traffic	replacing Rita D'Ortenzio - promoted	E-5	\$359.11 per week	Sept. 23/85
Mrs. Betty Carter	Housing Loans Clerk	Community Development	replacing Donna Bennett - resigned	E-5	\$359.11 per week	Sept. 25/85
Mr. Michael Castiglione	Unit Supervisor	Culture & Recreation	replacing Burton Lea - retired	12C	\$26,543.92 per annum	Sept. 3/85
Mr. Alex Chowchun	Tree Climber	Parks Division of Public Works	additional staff as approved	D-9	\$10,737 per hour	Sept. 3/85
Mr. Leo Constantinides	Plant Maintenance Supervisor	Trade Centre/Arena	new position as approved	117	\$40,956.76 per annum	Sept. 16/85



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Jean Dodman	Stenographer IV	Public Works	replacing Cristabelle Buchackert - promoted	E-2	\$299.65 per week	Sept. 23/85
Mrs. Rita D'Ortenzio	Secretary A	City Clerk's	new position as approved	111	\$22,089.60 per annum	Sept. 16/85
Mr. John Dowling	Lieutenant	Fire	replacing Frank Brohman - promoted	C-7	\$35,522.98 per annum	Sept. 8/85
Mr. William Fletcher P.O.	Security Supervisor	Trade Centre/Arena	new position as approved	114	\$29,629.60 per annum	Sept. 30/85
Ms. Michelle Forrester	Stenographer IV	Building	replacing Gayle Fawcett - promoted	E-2	\$299.65 per week	Sept. 9/85
Mr. W. Joseph Gerrior	Maintenance	Parking Authority	replacing Martin MacLeod - resigned	B-4	\$357.13 per week	Sept. 16/85
Ms. Marsha Josling	Junior Cost & Inventory Clerk	Central Garage Division of Public Works	new position as approved	G-2	\$371.44 per week	Sept. 16/85
Mr. William Longley	Tree Climber	Parks Division of Public Works	additional staff as approved	D-9	\$10.7370 per hour	Sept. 3/85

Prepared October 16, 1985

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Gary Makins	Unit Supervisor	Culture & Recreation	replacing Dave Kelly - promoted	12C	\$25,459.20 per annum	Sept. 16/85
Mr. Paul Marchese	Captain	Fire	additional staff as approved	C-8	\$38,498.61 per annum	Sept. 8/85
Mr. Robert McDonald	Lieutenant	Fire	replacing Albert Vandenakker - promoted	C-7	\$35,522.98 per annum	Sept. 8/85
Mrs. Joan Orford	Clerk Typist III	Property Maintenance Division of Real Estate	returning to permanent position (was replacing Conrad Villeneuve - off sick)	E-1	\$306.11 per week	Sept. 30/85
Mr. Edward Rodek	Rink Attendant	Culture & Recreation	returning to permanent position (was filling a temporary additional staff position)	D-5	\$10.7060 per hour	Aug. 26/85
Mrs. Barbara Spolnik	Receptionist	City Clerk's	new position as approved	107	\$16,379.48 per annum	Sept. 30/85
Mr. Joe Tsao	Marketing Representative	Trade Centre/Arena	new position as approved	112	\$23,769.20 per annum	Sept. 30/85

Prepared October 16, 1985

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Daryl Couch	Labourer	Public Works	transferred	D-5	\$10,706.00 per hour	Sept. 22/85
Mr. Lawrence Dunn	Labourer	Parks Division of Public Works	returning to permanent position (was filling a temporary additional staff position)	D-5	\$10,706.00 per hour	Sept. 23/85
Mr. James MacKey	Labourer	Parks Division of Public Works	returning to permanent position (was filling a temporary additional staff position)	D-5	\$10,706.00 per hour	Sept. 23/85
Mr. Ray Watt	Labourer	Parks Division of Public Works	returning to permanent position (was filling a temporary additional staff position)	D-5	\$10,706.00 per hour	Sept. 23/85
Mr. Michael Braun	Prob. Firefighter, 1st 12 months	Fire	replacing Norman Gordon - retired	N-1	\$22,984.88 per annum	Sept. 23/85
Mr. David Grant	Prob. Firefighter, 1st 12 months	Fire	additional staff as approved - new station	N-1	\$22,984.88 per annum	Sept. 23/85



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. John Kossup	Prob. Firefighter, 1st 12 months	Fire	replacing Thomas Stewart - retired	N-1	\$22,984.88 per annum	Sept. 23/85

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Herbert Barker	Property Maintenance Superintendent	Property Maintenance Division of Real Estate	retired	32 yrs. & 11 mo.	Sept. 30/85
Mrs. Donna Bennett	Housing Loans Clerk	Community Development	resigned	5 yrs. & 4 1/2 mo.	Sept. 13/85
Mrs. Nancy Kuzmich	Historical Interpreter (permanent)	Dundurn Castle Division of Culture & Recreation	resigned	2 yrs. & 10 1/2 mo.	Sept. 29/85
Mr. Burton Lea	Unit Supervisor	Culture & Recreation	retired	30 yrs. & 10 1/2 mo.	Sept. 30/85
Mr. Thomas MacKey	Truck Driver & Labourer	Public Works	retired	15 yrs. & 4 1/2 mo.	Oct. 1/85
Mr. Aldo Mostacci	Motor Mechanic	Central Garage Division of Public Works	resigned	3 yrs. & 10 1/2 mo.	Sept. 20/85
Mrs. Terri Neeb	Communications Operator, 4th yr.	Fire	resigned	8 yrs. & 1 mo.	Sept. 15/85

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Victoria Broadribb	Personnel Clerk I (temporary)	Personnel	replacing Karen Neske - temp. promoted	110	\$22,119.76 per annum	Sept. 30/85
Ms. Clarissa Ecker	Personnel Clerk III (temporary)	Personnel	replacing Carol Rising - temp. promoted	107	\$16,379.48 per annum	Sept. 30/85
Ms. Jennifer Hardie	Personnel Clerk III (temporary)	Personnel	replacing Barbara Noble - maternity leave	107	\$16,379.48 per annum	Sept. 30/85
Mr. Michael Langille	Caretaker (temporary) (59 days)	Property Maintenance Division of Real Estate	replacing Rob Agnew - transferred (who was replacing Ralph Tischler - on LTD)	B-2	\$354.25 per week	Sept. 26/85
Ms. Lian Lawrence	Student At Law (temporary)	City Solicitor's	replacing Lorne Farr - resigned	SL	\$244.35 per week	Oct. 1/85
Mr. Hilry Neale	Sales Representative (temporary)	Convention Centre	contract terminated	SR	\$384.62 per week	Sept. 3/85

Prepared October 16, 1985



**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Karen Neske	Secretary A (temporary)	Personnel	replacing Laura Peddle - temp. promoted	111	\$24,823.24 per annum	Sept. 23/85
Mr. John Oleksiuk	Sales Representative (temporary)	Convention Centre	replacing Patsy Morgan - maternity leave	106	\$22,205.04 per annum	Sept. 30/85
Mrs. Laura Peddle	Supervisor of Employee Records (temporary)	Personnel	replacing Annie Holmes - maternity leave	113	\$28,919.80 per annum	Sept. 23/85
Ms. Lauretta Thurston	Interpreter OYP (temporary)	Culture & Recreation	government program as approved	OYP1	\$4.0000 per hour	Sept. 19/85
Ms. Debbie Wallace	Accounting Clerk OYP (temporary)	Treasury	government program as approved	OYP1	\$4.0000 per hour	Oct. 1/85
Mr. Fred Barker	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Kevin Barker	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85

Prepared October 16, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Robert Carmichael	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. James Dean	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. William Deeley	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Domenico Domenicone	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Aug. 26/85
Mr. Robert Duckworth	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Peter Gravelle	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Aug. 26/85
Mr. Mark Holland	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85

Prepared October 16, 1985

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Mike Holmes	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. James Keenan	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Frederick Lalonde	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. John McShane	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Michael Maxwell	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Richard Melanson	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. David Michor	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85

Prepared October 16, 1985



**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. John Mule	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Aug. 26/85
Mr. Fernand Poirer	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Alois Stokan	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Aug. 26/85
Mr. George Sztricsko	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Raymond Vallier	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85
Mr. Scott Weaver	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Aug. 26/85
Mr. John Barry Willard	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Robert Williamson	Rink Attendant (temporary)	Culture & Recreation	seasonal staff (permanent employee doing temporary job)	D-5	\$10.7060 per hour	Sept. 23/85

**THE CORPORATION OF THE CITY OF HAMILTON**  
**TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Michael Langille	Caretaker (temporary) (59 days)	Property Maintenance Division of Real Estate	lay off	2 1/2 mo.	Sept. 25/85
Ms. Lisa Martin	Assistant Supervisor Outside Activities (temp./part-time)	Dundurn Castle Division of Culture & Recreation	resigned	2 1/2 mo.	Sept. 8/85
Mr. H. Parry	UTC Supervisor (temporary)	Public Works	lay off	4 mo.	Oct. 4/85
Mrs. Lauren Pashuk	General Assistant (temp./part-time)	Dundurn Castle Division of Culture & Recreation	resigned	7 mo.	Oct. 4/85
Mr. Arthur Pollington	Truck Driver (Provisional) (temporary)	Public Works	lay off	3 mo.	Sept. 27/85
Mr. Joe Tsao	Sales Representative (temporary) (on contract)	Convention Centre	resigned	1 yr. & 6 1/2 mo.	Sept. 29/85

Prepared October 16, 1985











## REPORT OF THE FINANCE COMMITTEE

To the Corporation of the City of Hamilton

Members of Council:

The Finance Committee presents its EIGHTEENTH Report for 1985 and respectfully recommends:

1. That the cost of \$18,000 for the fee, including expenses, to the firm of Peat, Marwick and Partners, to conduct an executive search related to the filling of the position of Director of Systems and Data Processing, be financed by means of an approved overdraft in Treasury Account 0323-1456.

NOTE: Section 1 of the Eleventh Report of the Personnel Committee makes reference to this matter and if adopted by City Council, requests the Finance Committee to recommend the method of financing.

2. That the additional estimated cost of \$2 000 required to repair the Emerald Street Pedestrian Bridge, over and above the approved budget of \$27 750, be financed by means of an overdraft approval in Account 0352-0270 and setting aside that amount within the unallocated portion of the Contingency Account 0378-11XX

NOTE: Section 17 of the Eighteenth Report of the Transport and Environment Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

3. That the amount of \$1 270, (for the balance of 1985) required for the cost of a school traffic officer to be assigned to the intersection of John Street North and Picton Street East, be financed by an approved overdraft in Account 0347-0119 "School Traffic Officers".

NOTE: Section 41 of the Eighteenth Report of the Transport and Environment Committee makes reference to this matter and requests the Finance Committee to recommend the method of financing.

4. Approval of the awarding of the following contract:

ROBERT SLESSOR PONTIAC BUICK, GRIMSBY, ONTARIO

Supply and delivery of One (1) 10,000 GVW Chassis with Utility Body Hoist and Bucket, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of .....\$42 986.90

NOTE: Lowest of 8 tenders. Funding provided in Depreciation Account 0280-01 and Account 0345-0475. A transfer of \$9 800 in to account 0345-0475 was approved by the Transport and Environment Committee at its' meeting on 1985, October 21. and is referred to in Section 34 of the Eighteenth Report of the Transport and Environment Committee.

5. Approval of the awarding of the following purchase orders:

(a) LANSING CANADA INC., BRAMALEA, ONTARIO

Supply and delivery of One (1) Fork Lift Truck in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of \$21 212.40, plus 7 % Ontario Sales Tax.

NOTE: Lowest of 5 tenders. Funds provided in account 0408-U32766.

(b) SAINTHILL-LEVINE, TORONTO, ONTARIO

Supply and delivery of Uniforms for Ushering, Security and Door Staff for the Victor K. Copps Coliseum, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of \$141.00 per outfit for men and \$118.00 per outfit for ladies, plus 7% Ontario Sales Tax.

NOTE: Lower of 2 acceptable tenders. Approximate total cost \$28 000. Funding provided in the operating budget for the Coliseum.

(c) That an order be placed with John C. Duff, Advertising Limited, Burlington, Ontario, in the amount of \$17 666.53 for the full media/promotions package and invitation lists in conjunction with the official opening ceremonies of Copps Coliseum .

NOTE: Funding is available from Account 8330-3012.

6. (a) That the City Solicitor be authorized and directed to exercise the City's option to extend the closing date of the sale of 37 Strathcona Avenue North to the Hellenic Community of Hamilton and District from October 9th, 1985 to April 9th, 1986; and,

(b) That Hamilton Theatre Inc. be allowed to remain as tenants of the City at 37 Strathcona Avenue North until the extended date of closing on April 9th, 1986.

7. That an Option to Purchase the property known as the West Avenue School at 255 West Avenue North from The Board of Education for the City of Hamilton, duly executed on October 18, 1985 and scheduled for closing on December 5, 1986 be completed in the total amount of \$270 000. in accordance with the following:

It is understood and agreed that this Option is conditional upon the City obtaining at its own expense a re-zoning of the here-indescribed lands to allow (a) the erection and use of medical offices and ancilliary uses thereto, and, (b) public parking.

If the said re-zoning is not obtained on or before November 3rd, 1986, this Option shall become null and void and no longer binding upon any of the parties hereto.

It is also understood and agreed that, by the acceptance of the Option, the City will receive the owner's authorization and consent to make all necessary applications for re-zoning the subject land in accordance with the above and, as a use supplementary thereto, a Theatre for the rehearsal and staging of plays by Hamilton Theatre Inc.

These conditions are for the sole benefit of the City and may be waived at any time by the City by notice in writing to the owner.

It is further agreed between the parties that if this Option is accepted by the City then on the closing of the transaction the agreement between the City and the Owner with respect to the playground located on the subject lands shall merge with the closing of the transaction and the Owner shall have no further obligations or liabilities under the agreement.

NOTE: The property measures 142.667 feet along the southerly limit of Barton Street East by a depth of 194 feet along the westerly limit of West Avenue North and contains 27,500 square feet (more or less). Erected on the site are buildings and structures known as the West Avenue School.

This property is being purchased for off-street parking purposes. The cost of acquisition is to be charged to Reserve for Off-Street Parking Account 0280-14.

8. Approval of the settlement of the following claim:

"By Writ of Summons issued in November of 1982, David McPhee and his father Donald McPhee commenced action against the City and City employee Patrick Tompkins as a result of a motor vehicle accident that occurred on August 18, 1982 on King Street at or near its intersection with Proctor Boulevard.

Mr. Tompkins was operating a City sweeper when it came into contact with David McPhee who was operating a motorcycle. David McPhee was thrown from his motorcycle and suffered serious injury to his right leg which which was operated on and required him to take seven months off work. David and his father commenced legal action on behalf of themselves, David's family and O.H.I.P. and claimed damages totalling \$350 000. against Mr. Tompkins and the City.

After extensive negotiations, they have advised through their solicitor that they are now prepared to accept a settlement in the amount of \$67 109.92 plus interest on \$48 080.67 thereof at the rate of 12% per annum from November 16, 1982 to date of payment and costs of \$8 500. Of the \$67 109.92, the sum of \$11 957.50 will be paid to O.H.I.P. in reimbursement of their subrogated claim herein for David's medical and hospital expenses."

This payment to be charged to Account No. 0490-City Auto Insurance Fund."



9. (a) That Project No. 36415, "Land Acquisition and Development of Additional Parking Facilities in Various Locations", estimated at \$450 000 and scheduled for 1986 be advanced and authorized to commence in 1985;
- (b) That the 1985 Project No. 35417, "Parking Facility in South-East Quadrant", estimated at \$800 000 be deferred until 1986;
- (c) That \$450 000 for Project No. 36415 be made available to the Parking Authority from the Reserve for Off-Street Parking, Account 0280-14.
10. (a) That the \$50 000 budget established by City Council October 10, 1985 for the Media Strategy Program, with respect to the World Junior Hockey Championships to be held December 25, 1985 to January 4, 1986, be financed in the following manner.
  - (i) \$5 000 from the appropriate account within the 1985 Trade Centre/Arena budget, and
  - (ii) \$45 000 approved overdraft within "Promotion of Hamilton", Account 0378-35.
- (b) That responsibility for this Program and related budget be assigned to the City Clerk.

**NOTE:** The City Council resolution of October 10, 1985 provides for a budget of \$50 000 to be established in conjunction with Regional Council. A copy of that resolution has been forwarded to the Regional Clerk along with the request that the matter be considered by Regional Council. Any contribution by the Region will reduce the cost to the City.

11. Approval of a contribution of up to \$10 000 towards the cost of a Region and City hosted dinner in honour of the new Lieutenant Governor of Ontario and Mrs. Alexander.

This expenditure to be financed by an approved overdraft in Account No. 0378-35XX Promotion of Hamilton.

12. (a) Approval of the expenditure of the opening ceremonies budget allocated from The Hamilton Entertainment and Convention Facilities Inc. - Advertising and Promotion Account, not to exceed \$95 000. which includes the City of Hamiltons' hosted Gala Luncheon on Saturday, November 30th, 1985 and
- (b) That the Managing Director of the Hamilton Entertainment and Convention Facilities Inc., Mr. B. Conacher and Mr. T. Bradley, Director of Purchasing be authorized to process orders relative to this matter in accordance with the emergency procedures of the City's purchasing policy.

13. (a) That the Canadian Imperial Bank of Commerce, the Banker of the Corporation of the City of Hamilton, be appointed as Hamilton Entertainment and Convention Facilities Inc. main banker; and
- (b) That the signing officers for cheques issued by the Hamilton Entertainment and Convention Facilities Inc. and for the establishment of bank accounts be hereby authorized as requiring signatures from two (2) of the Managing Director, Director of Finance and Administration and the Comptroller or one of the above, and one of the Chairman of The Board of Directors, the Vice-Chairman of the Board of Directors, the Second Vice-Chairman of the Board of Directors, the Director of Marketing, the General Manager of the Convention Centre, the General Manager of Copps Coliseum or the General Manager of the Hamilton Place.
14. That the previously approved method of financing the City of Hamiltons' \$90 000 Handicapped Programme which provides for funding to be spread over three years, 1985, 1986, 1987 as set out in the 1985-1989 Capital Budget be rescinded, and that the total cost of the project in the amount of \$90 000 be financed from the 6 Mill 1985 Capital Levy Account No. 0376-02.

NOTE: Section 17 of the Twenty-Seventh Report of the Planning and Development Committee makes reference to this project and requests the Finance Committee to recommend the method of financing.

15. (a) That an amount of up to \$100 000 be appropriated from the Reserve for Contingency for a month long program of activities to celebrate/ promote the official opening of the Copps Coliseum and the International Hockey Month in Hamilton.
- (b) That no expenditures be committed until such time as a program and cost estimates are submitted for approval of City Council.
16. That in accordance with the present policy relative to the Christmas Lighting Programme, a grant of up to \$1 000. be approved for the following Business Associations:
- a) Concession Street B.I.A.
  - b) Kenilworth Business Association
  - c) Downtown Hamilton B.I.A.

NOTE: Funds are available in Account No. 0374-0203 Grant - Christmas Lighting - Business Associations.

17. (a) That the Grant Policies, Procedures and Applications with respect to General Grants, attached hereto as Exhibit "A" and Convention/Reception Grants, attached hereto as Exhibit "B" be approved and implemented for the processing of the 1986 grant applications.

(b) That the deadline for Grant submissions be extended to November 15, 1985.

NOTE: For the information of the members of City Council the significant changes to the grant policies and procedures as approved by City Council on October 9, 1984 are as follows:

- i. Adoption of an advertising program advising of the availability of grants. (Note: This item reflects the recommendations enhanced in the Culture and Recreation Master Plan relevant to grants).
- ii. Establishing in most cases that the approved grant may be limited to 25% of the total operating budget which includes any applicable City charges.
- iii. Increasing the guidelines for Convention/Reception Grants as follows:
  - i) \$4.00 per person from \$3.00
  - ii) maximum grant of \$1 500 from \$1 000.
  - iii) establish minimum grant request of \$100.
- iv. Replacing Category 3 - (Sunset Category) by Categories 3 and 4 each providing a method of reduced funding.
- v. Establishing in the guidelines the procedures followed in processing the grants, ie., method of payment and deducting City cost recovery charges from the approved grant funds prior to payment.

Respectfully submitted,

Alderman D. Gray, Chairman  
Finance Committee

J. J. Schatz, Secretary  
Finance Committee

1985 October 10  
/dg



THE CORPORATION OF THE CITY OF HAMILTON

GRANTS TO OUTSIDE ORGANIZATIONS

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THE CORPORATION OF THE CITY OF HAMILTON

1. LEGISLATION

A) POWER TO MAKE GRANTS

City Council has legislative authority to make grants under Section 113 of The Municipal Act, which states in part:

113. - (1) Notwithstanding any special provision in the Act or in any other general or special Act related to making of grants or granting of aid by the council of a municipality, the council of every municipality may, subject to section 112, make grants, on such terms and conditions as to security and otherwise as the council may consider expedient, to any person, institution, association, group or body of any kind, including a fund, within or outside the boundaries of the municipality for any purpose that, in the opinion of the council, is in the interest of the municipality.

(2) The power to make a grant includes:

- (a) the power to guarantee a loan and to make a grant by way of loan and to charge interest on the loan;
- (b) the power to sell or lease land for nominal consideration or to make a grant of land, where the land being sold, leased or granted is owned by the municipality but is no longer required for its purposes, and includes the power to provide for the use by any person of land owned or occupied by the municipality upon such terms and conditions as may be fixed by the council;
- (c) the power to sell lease or otherwise dispose of, at a nominal price, or to make a grant of, any furniture, equipment machinery, vehicles or other personal property of the municipality or to provide for the use thereof by any person on such conditions as may be fixed by the council; and
- (d) the power to make donations of foodstuffs and merchandise purchased by the municipality for such purpose.

(3) A guarantee of loan made under this section shall be deemed to be a debt for the purposes of section 149 and, where the term of the loan in respect of which such guarantee is made may extend beyond the current year, such guarantee shall be deemed to be an act, the cost of which is to be raised in a subsequent year and shall be subject to the provisions of section 64 of the Ontario Municipal Board Act.

THE CORPORATION OF THE CITY OF HAMILTON

LEGISLATION - continued

B) QUALIFICATIONS TO RECEIVE GRANTS

The Municipal Act under Section 112 prohibits grants to profit oriented organizations as stated in the The Act:

112. - Notwithstanding any general or special Act, a council shall not grant bonuses in aid of any manufacturing business or other industrial or commercial enterprise.

2. GOAL AND OBJECTIVES

Goal

To facilitate and ensure effective citizen involvement in community groups and City events related to self-fulfillment of individuals and the well-being of the community; and ensure that the fund or assistance granted will be administered by a competent body.

Objectives

1. To provide funds in limited amounts to community groups and local organizations who provide services that warrant the City's support.
2. To evaluate all applications for financial assistance on an equitable basis, and on the same criteria of selection.
3. To encourage those organizations requesting financial assistance to become self-supporting.
4. To assign to one of the following categories the approved grant to an organization in order to establish the basis on which future requests may be considered:

Category 1      -    Funding that is traditional in nature and is civic sponsored in other Canadian Communities and any increase, if requested and granted, is not to exceed the annual inflation rate or City cost recoveries (see note on Page 3).

Category 2      -    Funding is to remain fixed at the initial funding level and any future enhancement is to be the responsibility of the organization involved (see note on Page 3).



THE CORPORATION OF THE CITY OF HAMILTON

GOAL AND OBJECTIVES - continued

- Category 3 - Funding is to be reduced over the five year period following the year of the initial approved grant. The funding reduction will be calculated by an amount equal to one-fifth of the initial approved grant reduced each year for the next five years. The result would be that in the fifth year after the year of initial approval, there will be no funding forthcoming to the organization (see note below).
- Category 4 - Funding is to be reduced by a fixed amount each year established by the City after consultation with the applicant. At an agreed future point in time, a level of funding will be established (see note below).
- Category 5 - Funding to be limited to a one time only grant ("seed" money). (see note below).

NOTE: The applicant, regardless of the grant category assigned, is responsible to apply each year for funding. In no way does the assigned grant category suggest the future levels of funding by the City. The grant will be reconsidered each year; however, previous assigned categories will be taken into consideration in approving the grant.

3. GENERAL CRITERIA FOR THE CONSIDERATION OF GRANTS

Consideration Will Be Given To:

1. Organizations which require funds to start a worthwhile operation and which may be expected within a reasonable period to operate without a City grant.
2. Organizations that rely heavily on volunteers and self-help.
3. Organizations whose service is oriented towards local culture, arts and/or recreation.
4. Programs that provide services for which the recipients are willing to pay for services in part, or in total, when this is feasible.
5. The degree to which the City will be expected to contribute to the total funding of the program.

THE CORPORATION OF THE CITY OF HAMILTON

GENERAL CRITERIA FOR THE CONSIDERATION OF GRANTS - continued

Consideration Will Be Given To: - continued

6. Projects that are essential to the citizens of the City which cannot be financed by private business or donations.
7. The nature of each project and the relationship of the project to the responsibility of City Council.

Consideration Will Not Be Given to:

1. A similar application which has also been submitted to the Regional Municipality of Hamilton-Wentworth.
2. Requests for grants to an individual, or to an individual group that is controlled by a parent organization (in this case the parent organization should apply for the grant, i.e., an association as opposed to a team).
3. Grants that replace subsidies which are, or may become, available under statutory provisions.
4. Grants that are required for the service which rightly can be regarded as a Regional, Provincial or Federal responsibility, nor a service suitable primarily for private enterprise or private charity.
5. Organizations that can provide an adequate level of service without public funding.
6. Requests for contributions to deficits which are incurred by the organization without the prior knowledge and concurrence of the City.
7. Profit oriented operations.
8. Organizations who have failed to provide a satisfactory report including financial statements as to the success of the previous year and specifically with respect to the allocation of grant funds.

THE CORPORATION OF THE CITY OF HAMILTON

4. PROCESSING OF GRANT APPLICATIONS

General

- (a) A public notice will be placed in The Hamilton Spectator to advise organizations that grant applications are available and the deadline for submission of completed applications.
- (b) Grant packages consisting of the application and guidelines will be sent to all currently funded organizations and to any organization not previously funded requesting a City grant.
- (c) The completed application (Appendix "A") must be returned no later than October 15 to:

The Corporation of the City of Hamilton  
Secretary of the Grants Sub-Committee  
Treasury Department  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

- (d) All grant requests for the calendar year, including any Convention/ Reception Grant applications, must be submitted at the same time for consideration unless circumstances dictate otherwise.
- (e) The approved grant amount in most cases will be limited to a maximum of 25% of the applicant's total operating budget, after the initial year of an approved grant. (The total operating budget should include any charges relevant to the rental of City properties and cost recovery of services.)

Review of Grant Applications

- (a) Grants Review Group - review each completed application for completeness of information and eligibility and forward all applications to the Grants Sub-Committee for review.
- (b) Grants Sub-committee - meet to review all applications and forward recommendations to Finance Committee.



THE CORPORATION OF THE CITY OF HAMILTON

PROCESSING OF GRANT APPLICATIONS - continued

Review of Grant Applications - continued

- (c) Finance Committee - meet to review Grants Sub-committee recommendations, then the Secretary of the Grants Sub-Committee will notify each organization of the amount of grant being recommended to City Council by the Finance Committee; hear any subsequent grant appeals and forward final recommendations to City Council.

NOTE: The Finance Committee's recommendation is tentative and is subject to amendment, denial and/or final approval by City Council.

- (d) City Council - consider final disposition of grant requests.

Grant Appeals

If the organization disagrees with the Finance Committee's recommendation to City Council and would like to appeal, they must appeal in writing to the Secretary of the Grants Sub-Committee outlining their concerns and provide any additional information that could affect the Finance Committee's decision. This appeal will be addressed by the Finance Committee who may request a presentation by the organization. The Finance Committee would then make its final recommendation to City Council.

Payment of Grants

Release of grant funds will only be made subject to the following:

- (a) City Council final approval.
- (b) Receipt of a written submission by the organization requesting amount and timing of payments, addressed to the Secretary of the Grants Sub-Committee, for the payment of the approved grant.
- (c) Any applicable City charges for use of City properties and cost recovery of services will be deducted from the approved grant funds. The balance, if any, will be paid to the organization as agreed upon.
- (d) Agreement by the applicant to submit a brief report including financial statements, following the completion of the expenditure of the funds, as to the success of the year and allocation of grant funds.

THE CORPORATION OF THE CITY OF HAMILTON

Each organization applying for a grant is required to complete this form and forward same to Mr. D. K. Beattie, Secretary of the Grants Sub-Committee, Treasury Department, City Hall, 71 Main Street West, Hamilton, L8N 3T4 (telephone 526-2739), together with their supporting information indicated, on or before October 15.

In the event that more space is required in replying to any question, please use a supplementary sheet and attach to the application.

A. NAME, ADDRESS AND TELEPHONE NUMBER OF ORGANIZATION:

B. AMOUNT OF GRANT REQUEST: \$ \_\_\_\_\_

C. PURPOSE OF GRANT: (Indicate)

\_\_\_\_\_ CONTINUING GENERAL ACTIVITIES (OPERATING)  
 \_\_\_\_\_ CAPITAL  
 \_\_\_\_\_ ONE TIME - SPECIFIC PURPOSE

D. IF OPERATING GRANT, CALCULATE THE CITY'S CONTRIBUTION  
 AS A PERCENTAGE OF YOUR TOTAL OPERATING BUDGET:

	<u>AMOUNT</u>	<u>%</u>
- OPERATING BUDGET - NOT INCLUDING GRANT REQUEST .....	\$	
- CITY'S CONTRIBUTION (GRANT REQUEST) .....	\$	_____
 TOTAL OPERATING BUDGET	 \$	 100%
	=====	=====

NOTE: In most cases the approved grant may be limited to a maximum of 25% of the total operating budget after the initial grant year. The total operating budget must include any relevant charges for City property rentals and cost recovery of services.

E. CASH FLOW

INDICATE PAYMENT REQUIREMENT IF GRANT APPROVED:

- UPON CITY COUNCIL APPROVAL \$ \_\_\_\_\_  
 - OTHER DATE OR INSTALMENTS \$ \_\_\_\_\_ (date)  
 \$ \_\_\_\_\_  
 \$ \_\_\_\_\_

RECOMMENDATION (for City use only)

1. GRANTS SUB-COMMITTEE

2. FINANCE COMMITTEE

3. CITY COUNCIL

\$ \_\_\_\_\_

\$ \_\_\_\_\_

\$ \_\_\_\_\_

CATEGORY \_\_\_\_\_

CATEGORY \_\_\_\_\_

CATEGORY \_\_\_\_\_





THE CORPORATION OF THE CITY OF HAMILTON

4. Do volunteers participate in your program?

No \_\_\_\_\_ Yes \_\_\_\_\_ If yes, please indicate number and type of involvement.

5. Is your organization local in nature or is it a branch or segment of a provincial or national organization?

6. Does your organization provide a service to:

(a) All citizens \_\_\_\_\_

(b) A specific group \_\_\_\_\_

(c) A specific area \_\_\_\_\_

Describe briefly:

7. In what geographical area does your organization operate?

THE CORPORATION OF THE CITY OF HAMILTON

8. For what purpose are the requested grant funds to be utilized within your organization? Be specific.
9. For what reason does your organization merit the use of public funds for the purpose indicated above?
10. Provide a list of the requests that have been or are being made to others for funds, e.g., Federal, Provincial or Municipal Governments, Private Corporations, Foundations, etc.

NOTE: YOU ARE ADVISED THAT CONSIDERATION WILL NOT BE GIVEN TO AN APPLICATION FOR FINANCIAL ASSISTANCE IF A SIMILAR APPLICATION HAS ALSO BEEN SUBMITTED TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH.

11. What other steps are being taken to increase revenues? Examples should be given such as increasing your membership or admission fees.
12. Does this organization provide a service for which a charge is made? Some examples are admission fees, membership fees and rental charges. If answer is "yes", give details.

THE CORPORATION OF THE CITY OF HAMILTON

13. Have you received funding from the City in prior years? If so, when and how much?

<u>Year</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____
_____	\$ _____

14. What are your estimated grant requests from the City of Hamilton for the next three years (exclusive of the present grant application year)?

<u>Year</u>	<u>Amount</u>
_____	\$ _____
_____	\$ _____
_____	\$ _____

NOTE: An organization receiving a grant will NOT automatically qualify for continuing funding, and will be subject to annual evaluation.

15. What are the consequences to your organization of receiving no funding from the City of Hamilton?



THE CORPORATION OF THE CITY OF HAMILTON

16. Will your organization ever be self-supporting? If yes, when?

If no, how will your service be continued if financial assistance is terminated in the future by the City?

17. Would your organization agree, subject to your availability and if requested by the City, to perform or otherwise provide your services at public functions or events, free of charge?

18. List the Executive Officers of your organization.

<u>Name and Title</u>	<u>Address</u>	<u>Telephone Number</u>	
		<u>Business</u>	<u>Home</u>

THE CORPORATION OF THE CITY OF HAMILTON

19. Submit an estimate of operating revenues and expenditures for your organization's fiscal year for which the grant is requested and a statement of operating revenues and expenditures for the preceding year in the attached form (Exhibit 1), together with the details of salaries and benefits (Exhibit 2). In addition, submit your organization's financial statements for the preceding fiscal year including details of assets and liabilities (balance sheet). Audited financial statements are preferred, and required if your grant request is \$5,000 or more; however, if it is not normal practice to have an audited financial statement prepared, have your Treasurer submit your own financial statement. If the aforementioned financial statements are not presently available, these must be submitted as soon as possible, and in any event, before the grant is paid.

\_\_\_\_\_  
Date

NOTE: I understand by signing this application that the City of Hamilton makes no commitment to the payment of any grant prior to final City Council approval. I also agree to submit a report within the grant calendar year outlining the success of the organization and the allocation of grant monies.

\_\_\_\_\_  
Name and Title of Officer Making  
Application

\_\_\_\_\_  
Signature of Officer Making  
Application

\_\_\_\_\_  
Telephone Number

"APPENDIX "A"  
referred to in Section 17  
of the Parks & Recreation Comm.  
THE CORPORATION OF THE CITY OF HAMILTON

Appendix "A"  
Exhibit 1  
APPLICATION  
GENERAL GRANTS

APPLICATION FOR GRANT

STATEMENT OF REVENUES AND EXPENDITURES  
(all amounts to nearest dollar)

Description (1)	Fiscal Year Ended		Increase+ Decrease-	
	Actual	Estimate	over Preceding	
	Preceding Year	Current Grant Year	Fiscal Year	
	19	19	Amount	%
	(2)	(3)	(4)	(5)
REVENUES				
Income (Specify)				
GRANT RECEIPTS				
Government of Canada				
Government of Ontario				
Other Municipalities				
(Specify)				
United Way Grants				
OTHER (Specify)				
TOTAL REVENUES				
EXPENDITURES				
Salaries and Benefits				
(detail on Exhibit 2)				
Other (Specify)				
TOTAL EXPENDITURES				
SURPLUS OR (DEFICIT)				
=====				



THE CORPORATION OF THE CITY OF HAMILTON

APPLICATION FOR GRANT

DETAILS OF SALARIES AND BENEFITS  
 (as listed on Exhibit 1)

Name and Position (1)	Fiscal Year Ended		Increase+ Decrease- over Preceding Fiscal Year	
	Actual	Estimate	Amount	%
	Preceding Year	Current Grant Year		
	19	19		
	(2)	(3)	(4)	(5)

TOTAL SALARIES AND  
 BENEFITS per Exhibit 1

=====	=====	=====	=====
-------	-------	-------	-------

THE CORPORATION OF THE CITY OF HAMILTON

CONVENTION OR RECEPTION GRANTS

Information and guidelines to all those applying for a convention or reception grant:

1. The purpose of this grant is to assist those organizations which hold Conventions, Receptions and/or Tournaments in Hamilton and where at least the majority of the participants are from out-of-town.
2. To qualify for a grant your organization must be a not for profit or a charitable organization. The Ontario Municipal Act prohibits municipalities from providing grants to manufacturing or profit oriented operations.
3. The grant is normally limited to a maximum of \$4.00 per participant, subject to a total maximum of \$1,500. The minimum grant request to be considered is \$100.
4. The attached "Application for Convention or Reception Grant" form must be fully completed and returned to the Secretary of the Grants Sub-Committee at least six (6) weeks prior to the event to allow sufficient time for processing. This process entails review by the Grants Review Group for completeness and compliance with these guidelines, then forwarded to the Grants Sub-Committee for their consideration and recommendation. This recommendation is forwarded to the Finance Committee for their approval and/or amendment and then forwarded to City Council for final approval.

(NOTE: All grant requests for the calendar year including any General Grant Application must be submitted at the same time for consideration unless circumstances dictate otherwise.)

5. Prior to final City Council approval, your organization will be notified of the proposed recommendation. If you disagree and would like to appeal this decision, please place it in writing to the attention of the Secretary, outlining your disagreement and any further information that may be beneficial. This will be presented to the Finance Committee for their reconsideration. You may be asked to make a presentation to the Finance Committee
6. If your event involves the use of City Property, ensure to contact the Secretary who will refer you to the appropriate City staff for cost recovery estimates. Note that these charges will be deducted from the approved grant funds. The balance, if any, will be paid as directed.
7. Payment of grant funds will only be made following City Council approval.
8. Within 30 days of the completion of your event, you must submit to the Secretary a brief report including financial statements on the success of the event, the allocation of grant funds, and number of participants. Also provide copies of any media coverage that are available.

	<u>Amount</u>	<u>Date</u>
Upon City Council Approval	\$ _____	_____
Other Date or Installments	\$ _____	_____
	\$ _____	_____
	\$ _____	_____



THE CORPORATION OF THE CITY OF HAMILTON

5. Explain briefly the nature of your event to be held for which you are requesting financial assistance.

6. With respect to your event, answer the following:

- (a) How many people will be in attendance? \_\_\_\_\_
- (b) Of the stated number of people, how many  
are coming from outside of Hamilton? \_\_\_\_\_
- (c) What is the date of the event? \_\_\_\_\_
- (d) What is the location of the event? \_\_\_\_\_
- \_\_\_\_\_

7. For what reasons does your organization merit the use of public funds for the purpose indicated above?

THE CORPORATION OF THE CITY OF HAMILTON

8. What other contributions are being requested or obtained to meet the cost of your event? (Government grants, donations, etc.)

NOTE: YOU ARE ADVISED THAT CONSIDERATION WILL NOT BE GIVEN TO AN APPLICATION FOR FINANCIAL ASSISTANCE IF A SIMILAR APPLICATION HAS ALSO BEEN SUBMITTED TO THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

9. Does your organization provide a service for which a charge is made? Some examples are admission fees, membership fees, and rental charges. If answer is "Yes", give details.
10. Will assistance be requested from the City of Hamilton in future years in this respect?
11. List the Executive Officers of your organization:

<u>Name and Title</u>	<u>Address</u>	<u>Telephone Number</u>	
		<u>Business</u>	<u>Home</u>

_____	_____
Date	Name and Title of Officer Making Application
	_____
	Signature of Officer Making Application

\_\_\_\_\_  
Telephone Number







REPORT OF THE SPECIAL COMMITTEE TO ADMINISTER  
THE HAMILTON-SCOURGE PROJECT

To the Council of the Corporation of the City of Hamilton

Members of Council:

The Special Committee to Administer The Hamilton-Scourge Project  
present its FIRST Report for 1985 and respectfully recommends:

1. Approval of the following transfer of funds:

(a) \$9,300.00 from Account No. 0337-0176 to Account No. 0337-0158

(b) \$2,000.00 from Account No. 0337-0156 to Account No. 0337-0158

NOTE: These funds are required with respect to the establishment  
of a Memorial Garden at Confederation Park honouring  
deceased crew members of the HAMILTON-SCOURGE

FOR THE INFORMATION OF MEMBERS OF CITY COUNCIL

Account No. 0337-0176 was originally allocated \$10,000.00 towards  
the installation of a Conservation Lab; the hiring of a  
Conservation Scientist has now been delayed due to the delay in  
hiring a Chief Archaeologist; the Lab will not be installed,  
therefore, until 1986. Similarly, the \$4,000.00 allocation under  
0337-0156 was intended to meet costs related to the two new  
positions, which were expected to be active by now. Only half  
of this amount will now be required there.

Meanwhile, it became possible to take advantage of several gifts  
in kind (such as bronze memorial plaques from the U. S. Daughters  
of the War of 1812) and cash (such as \$3,000.00 from a private  
foundation), if we proceeded with the installation of the 53  
memorial stones in the Memorial Garden. This transfer is to  
complete this installation.

Respectfully submitted,

ALDERMAN W. MCCULLOCH, CHAIRMAN

S. J. Dembe, Secretary  
1985 October 18







E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

## MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1985 December 10  
7:30 o'clock p.m.  
Council Chambers  
City Hall

CALL ON HBC APT  
A-1  
1985

Dec 9/85

## A G E N D A

1. Prayer - The Reverend Allan Miller of Trinity United Church
2. Recognition for Miss Sharon Smith re: 1985 Australian Ladies Open Golf Tournament
3. Proclamation - Human Rights Day
4. Minutes of the Meeting held October 29, 1985
5. Correspondence
6. Reports of Standing Committees - attached:
  1. Executive Committee
  - A) Transport and Environment Committee
  - B) Parks and Recreation Committee
  - C) Planning and Development Committee
  - D) Legislation Committee
  - E) Personnel Committee
  - F) Finance Committee
  - G) City of Hamilton Licensing Committee
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question period
11. Adjournment.



## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its FIRST Report and respectfully recommends:

1. (a) That By-law 78-224 respecting Membership of the City of Hamilton Licensing Committee be amended so as to delete Alderman B. Hinkley as a member.  
  
(b) That City Council appoint a replacement member for Alderman Hinkley and direct the City Solicitor to prepare the necessary amending by-law to give effect to same.
2. That the Co-ordinating Committee for the 1986 F.C.M. Conference to be held in Hamilton, June 1986, be composed of the five (5) members of the Executive Committee and Alderman T. Murray.
3. That Alderman W. M. McCulloch and one (1) staff member be authorized to attend the meetings of the National Board of Directors of the Federation of Canadian Municipalities to be held in Ottawa, Ontario, December 11-14, 1985.
4. The Executive Committee wishes to advise that it will hold its regular meetings on Thursdays, 2:00 o'clock p.m. in Room 219, City Hall.  
  
NOTE: Standing Committees are respectfully requested to establish meeting times accordingly, in order that reports can be processed through the Executive Committee to City Council.
5. That the City Clerk be authorized and directed to have prepared a monthly calendar of meetings of both the City and Regional Councils and Standing Committees.



6. That subject to the following, City Council reaffirm the decision of City Council at its' meeting held September 18, 1984 respecting Private Legislation to establish a Corporation to maintain, operate, manage, market and promote Hamilton Place, the Convention Centre and the Trade Centre/Arena.

- That Section 13 (1) be amended by deleting the word "may" immediately after the word "board" in the first line and inserting in lieu thereof the word "shall" so that the Section will read as follows:

13 (1) The Board shall appoint a Committee for each of the Theatre-Auditorium, the Convention Centre and the Trade Centre/Arena and such other Committees as it may determine.

NOTE: Attached hereto as Appendix "A" is a copy of Bill Pr34 - An Act respecting the City of Hamilton.

7. For the information of the members of City Council the Executive Committee has directed the Chief Administrative Officer in conjunction with the City Clerk and the Chief of Police to arrange for an Orientation/Educational Seminar for the members of City Council and Department Heads to assist them in establishing their responsibilities and to advise them how to identify attempts to corrupt them and the reporting procedure they should follow.

This Seminar is being recommended by the Chief of Police and is intended to take place in January, 1986.

8. (a) That the Executive Committee be responsible for establishing a "short list" and conducting interviews of citizen applicants (including incumbents) for appointment by City Council to the various Committees and Boards.

All members of City Council will be advised of the time and place of interviews.

- (b) That the Standing Committees be urged to adopt the same procedure with respect to selection of Sub-Committee members.

9. That leave be granted to introduce the following Bill:

- a) Bill No. 1-1 : A By-law respecting the membership on the City of Hamilton Licensing Committee.

10. Members of City Council are advised that the Executive Committee has initiated a review on the feasibility of transferring responsibilities for the Visitors and Convention Bureau and Tourism Services from the Region to the City.

In this regard, a meeting of all affected City and Regional officials is being arranged to further discuss this matter.

Members of City Council will be invited to attend.

11. RECOMMENDATION ON STANDING COMMITTEE REPORT:

- (a) Legislation Committee - Item 10 (d)

That Sub-section (d) of Section 10 of the First Report of the Legislation Committee dealing with the appointment of Alderman to the Status of Women Committee be amended by deleting Alderman G. Copps.

NOTE: The Executive Committee is making this recommendation at the request of Alderman G. Copps.

Respectfully Submitted

Mayor R. M. Morrow, Chairman  
Executive Committee

J. J. Schatz, Secretary  
Executive Committee

/dg  
1985 December 6

Bill Pr34

Private Bill

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1ST SESSION, 33RD LEGISLATURE, ONTARIO

34 ELIZABETH II, 1985

---

## Bill Pr34

An Act respecting the City of Hamilton

Mr. Charlton

---

*1st Reading*     July 10th, 1985  
*2nd Reading*  
*3rd Reading*  
*Royal Assent*

---

Printed under authority of the Legislative Assembly  
by the Queen's Printer for Ontario

#### EXPLANATORY NOTE

The Bill provides for the establishment of one corporation to operate, manage, market and promote Hamilton Place, the Hamilton Convention Centre and the Victor K. Coppers Trade Centre-Arena. The corporations that now operate Hamilton Place and the Hamilton Convention Centre are dissolved by the Bill and their employees will be transferred to the new corporation.



Bill Pr34

1985

### An Act respecting the City of Hamilton

Whereas The Corporation of the City of Hamilton considers it desirable to establish a corporation to maintain, operate, manage, market and promote Hamilton Place, the Hamilton Convention Centre and the Victor K. Copps Trade Centre-Arena as social, cultural, educational and recreational facilities for the benefit of the City and the people of the City of Hamilton and in the public interest; and whereas the applicant hereby applies for special legislation for such purposes; and whereas it is expedient to grant the application; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

#### 1. In this Act.

Definitions

"board" means the board of directors of the corporation;

"City" means The Corporation of the City of Hamilton;

"Convention Centre" includes the enterprise, structure and necessary interest in land appurtenant thereto located on the south side of King Street West known as "Hamilton Convention Centre" in Lloyd D. Jackson Square in the City of Hamilton;

"corporation" means The Hamilton Entertainment and Convention Facilities Inc. as established by this Act;

"council" means the council of the City;

"director" means a person who is a member of the board;

"Theatre-Auditorium" includes the enterprise, structure and necessary interest in land appurtenant thereto located on the north side of Main Street West known as "Hamilton Place" in Lloyd D. Jackson Square in the City of Hamilton;

"Trade Centre-Arena" includes the enterprise, structure and necessary interest in land appurtenant thereto located at the southeast corner of Bay Street North and York Boulevard known as the "Victor K. Copps Trade Centre-Arena" in Lloyd D. Jackson Square in the City of Hamilton.

Corporation  
established

**2.—**(1) There is hereby established a corporation without share capital under the name of "The Hamilton Entertainment and Convention Facilities Inc."

Purposes

(2) The principal purposes of the corporation are to maintain, operate, manage, market and promote the Theatre-Auditorium, the Convention Centre and the Trade Centre-Arena for the benefit of the City and the people of the City of Hamilton and in the public interest for the objects of the corporation.

Objects

**3.—**(1) The objects of the corporation are,

- (a) to provide facilities and services for performing arts, including the carrying on of all or any of the operations of a theatre, music hall, concert hall, ballroom and cinema;
- (b) to provide and present educational, social and cultural activities related to the arts or otherwise;
- (c) to establish educational facilities and provide instruction in all areas of the arts;
- (d) to present, produce, manage and conduct performances in the performing arts, including plays, dramas, comedies, operas, revues, promenades and other concerts, musicals and other pieces, ballet shows, exhibitions, variety and other entertainment;
- (e) to provide facilities and services for amusement and entertainment activities; and
- (f) to provide facilities and services for the holding of conventions, meetings, receptions, conferences, exhibitions, displays, sporting events, trade shows and events of every kind.

Idem

(2) The corporation may carry out its objects anywhere in the City of Hamilton.

Head office

**4.—**(1) The corporation shall have its head office at the City of Hamilton.

(2) The corporation shall have a corporate seal upon which its corporate name shall appear. Seal

5. Section 21 of the *Business Corporations Act, 1982* applies with necessary modifications to oral and written contracts entered in the name of or on behalf of the corporation before the day this Act comes into force. Application of 1982, c. 4, s. 21

6. The corporation has the capacity and, subject to this Act, the rights, powers and privileges of a natural person. Powers

7.—(1) The maintenance, operation and management of the real property owned by the City, comprised in the Theatre-Auditorium, the Convention Centre and the Trade Centre-Arena, are hereby entrusted to the corporation for the purposes and objects thereof. Management of real property

(2) Notwithstanding subsection (1), the City may assume the maintenance, operation and management of the real property or any part thereof entrusted to the corporation and the corporation is thereafter divested of its responsibilities in relation to the real property so assumed, as the City may determine. Assumption by City

8. The corporation shall not acquire or hold any interest in real property. No power to acquire real property

9.—(1) The corporation shall have a board of directors who shall manage, supervise and conduct the affairs of the corporation in accordance with the purposes and objects of the corporation. Board of directors

(2) The board shall be composed of, Composition

(a) the mayor of the City who shall be a director by virtue of office; and

(b) thirteen other members appointed by the council of whom,

(i) four shall be members of council, and

(ii) nine shall not be members of council.

(3) The directors appointed under subclause (2) (b) (i) shall be appointed for a term of office not exceeding their term of office as members of council. Term of office

(4) Directors appointed under subclause (2) (b) (ii), other than directors designated under subsection (5) to retire in Idem

1985 or 1986, shall be appointed for a term of three years and shall be appointed so that one-third of such directors retires at the end of each year.

First  
directors

(5) The council shall appoint the first directors forthwith after the coming into force of this section and shall designate which of the first directors appointed under subclause (2) (b) (ii) shall serve until the end of 1985, 1986 and 1987.

Removal

(6) A director may be removed at any time from office by a resolution passed by a majority of the council.

Vacancy

(7) Where the office of a director becomes vacant for any reason, the vacancy may be filled by council for the remainder of the unexpired term of the director whose office is vacant.

Reappoint-  
ment

(8) A director may be reappointed by council upon expiration of his or her term or otherwise.

Remunera-  
tion

(9) Directors may serve without remuneration or with such remuneration as the council may determine.

Quorum

**10.**—(1) A majority of the directors constitutes a quorum at any meeting of the board and where there is one or more vacancies, a majority of the remaining directors constitutes a quorum.

Idem

(2) Notwithstanding any vacancy among the directors, a quorum of directors may exercise the powers of all the directors.

Voting

(3) A director has only one vote.

Chairman,  
etc.

**11.**—(1) The directors shall elect annually a chairman, a first vice-chairman and a second vice-chairman from amongst themselves.

Absence

(2) The first vice-chairman shall act in place and stead of the chairman when the chairman is absent.

Idem

(3) The second vice-chairman shall act in place and stead of the chairman when both the chairman and first vice-chairman are absent.

Member of  
council

(4) At least one of the chairman or first vice-chairman or second vice-chairman shall be a member of council and at least one of them shall not be a member of council.

Re-election

(5) The chairman, first vice-chairman and second vice-chairman are eligible for re-election.



**12.—**(1) The board shall hold at least nine monthly meetings each year. Monthly meetings

(2) A majority of members of the board may requisition a special meeting of the board by serving a copy of the requisition on the chairman or a vice-chairman of the board. Special meetings

(3) The chairman of the board may call a special meeting of the board at any time whether or not he or she has received a requisition under subsection (2). Idem

(4) Every meeting of the board shall be called upon service by the secretary of the corporation of a written notice of meeting upon each director not later than two days preceding the date and time for the meeting, specifying the purpose of the meeting. Notice

**13.—**(1) The board may appoint a committee for each of the Theatre-Auditorium, the Convention Centre and the Trade Centre-Arena and such other committees as it may determine. Committees

(2) Each committee appointed under subsection (1) shall be composed of not less than three members of the board and shall perform such duties and undertake such responsibilities as the board specifies and shall report to the board. Duties

**14.—**(1) A record of all meetings of the board shall be maintained in a book kept for that purpose. Records

(2) All minutes, orders, directions and proceedings shall be entered in the book. Minutes, etc.

(3) All minutes shall be signed by the person who is chairman of the meeting and by the secretary of the corporation and shall be impressed with the corporation's seal over the signatures. Signing

(4) Subsections (1), (2) and (3) apply with necessary modifications to committees of the board. Committees

**15.** The board shall appoint a secretary of the corporation who shall. Secretary

- (a) give notice of meetings of the board;
- (b) keep all minutes of meetings and proceedings of the board;

- (c) submit to the board at each of its meetings the minutes of the next preceding meeting of the board; and
- (d) perform such duties, in addition to those set out in clauses (a), (b) and (c), as the board may from time to time direct.

## Personnel

**16.—**(1) The corporation may, in accordance with practices and procedures approved by council,

- (a) appoint, hire or otherwise engage officers, employees, agents or others;
- (b) determine the qualifications, responsibilities, duties and positions and terms and conditions of employment or service of persons appointed, hired or otherwise engaged by the corporation, including those employed under section 17;
- (c) establish classifications for persons appointed, hired or otherwise engaged by the corporation, including those employed by the corporation under section 17, and reclassify, transfer or promote any such person;
- (d) determine the remuneration, salaries and benefits of, and any payments to, officers, servants, agents or others; and
- (e) suspend, discharge or otherwise terminate employment or services.

## Senior positions

(2) The council, for the purposes of this section, may define the positions that are senior personnel positions and no person shall be appointed, hired or otherwise engaged to fill a senior personnel position until the approval of council has been obtained.

## Offer of employment

**17.—**(1) Notwithstanding clause 16 (1) (a), the employees of The Hamilton Performing Arts Corporation, Inc. and The Hamilton Place Convention Centre, Inc., who were employed by each of those corporations on the day preceding the day this Act comes into force, shall be offered first employment with the corporation.

## Previous salary, wages, benefits

(2) Notwithstanding clause 16 (1) (b), a person who accepts employment offered under subsection (1) shall be entitled to receive remuneration and benefits not less than the person

was receiving on the day before the day on which this Act comes into force.

(3) Any person who accepts employment under subsection (1) shall be entitled to receive during the first year of employment with the corporation holidays with pay equivalent to those which the person would have been entitled to if the person had remained in the employment of The Hamilton Performing Arts Corporation, Inc. or The Hamilton Place Convention Centre, Inc. Holidays

(4) Every person who is a part of a bargaining unit, as recognized by the existence of a collective agreement or agreements between The Hamilton Performing Arts Corporation, Inc. and a union, shall be deemed to be employed by the corporation on the date this Act comes into force pursuant to the terms and conditions of employment as set out in the collective agreement or agreements and the corporation shall be bound by, and be deemed a party to, the collective agreement or agreements as of the date this Act comes into force. Existing  
collective  
agreements

(5) The corporation and the union shall be deemed to have acquired the rights, privileges and duties of The Hamilton Performing Arts Corporation, Inc. and the union, respectively, under the *Labour Relations Act* and the collective agreement or agreements between The Hamilton Performing Arts Corporation, Inc. and the union. Rights,  
privileges  
and duties of  
corporation  
and union  
R.S.O. 1980,  
c. 228

(6) Subject to any collective agreement, nothing in this section prevents the corporation from terminating the employment of an employee for cause. Termination  
of  
employment

**18.—**(1) Subject to section 16, the board shall appoint a managing director who shall be the chief executive officer of the corporation. Managing  
director

(2) The managing director shall not be a member of the board. Idem

(3) The board shall by by-law or resolution define the duties of the managing director for the proper conduct of the business of the corporation. Idem

**19.—**(1) The corporation shall prepare or cause to be prepared annually a detailed budget of estimated revenue and expenditure as the City treasurer may require. Budget

(2) The corporation, in such manner as the council may require, shall provide in the budgets submitted to council all financial details of revenues and expenditures including Budget  
details

expense accounts, expenses incurred, remuneration, salaries and any other information that council may require.

Submission  
to  
council

(3) The corporation shall submit the estimates to council as required.

Annual  
report

(4) The corporation shall cause to be prepared an annual report which shall include audited financial statements.

Submission  
to council

(5) The corporation shall submit the annual report to council as required.

Fiscal period

(6) The fiscal period of the corporation shall be the same as the fiscal period of the City.

Annual  
budget

**20.**—(1) The annual budget of the corporation shall be subject to the approval of council, and, except with the approval of council, no obligation other than normal operating expenses may be incurred or expenditure made by the corporation before approval of the budget.

Approval

(2) Council is not obligated to approve the budget of the corporation or any part thereof and may make such changes to the budget as it determines.

Limitation  
on powers

**21.**—(1) The corporation shall not incur any indebtedness or obligation, whether contingent or otherwise, or expend any moneys except as authorized by this section.

Authorized  
expenditure

(2) Within the limits of its budget, as approved by council, the corporation may incur indebtedness and other obligations and expend money for the carrying out of its purposes and objects and for the conduct of its affairs and the exercise of its powers under this Act, including all expenses necessarily incurred in connection therewith.

Savings

(3) Notwithstanding subsection (2), the corporation may, with the approval of council, incur indebtedness and other obligations and expend moneys in excess of the approved budget for any fiscal period.

Bonus

(4) Notwithstanding subsection (2), no bonus or like sum of money or any other benefit in substitution thereof shall be paid to any person.

O.M.B.  
approval

(5) Where any indebtedness or obligation proposed to be incurred would extend beyond the term of council then in office, the approval of council to the incurring of the indebtedness or obligation shall be subject to section 149 of the *Municipal Act* and to sections 64 and 65 of the *Ontario Munic-*

R.S.O. 1980,  
cc. 302, 347



*ipal Board Act* as though the giving of the approval were the incurring of a debt or obligation or the making of an expenditure by the City.

(6) Subsection (5) does not apply where the corporation is exercising its powers under section 16 or 17 in respect of the appointment, hiring and paying of its officers, servants and employees. Exception

**22.—**(1) The corporation shall provide the City with monthly statements of, Monthly statements

- (a) revenues and expenditures;
- (b) profit and loss; and
- (c) such financial matters or operating expenditures as council may require.

(2) The statements referred to in subsection (1) shall be in such form as the City treasurer may require. Idem

**23.—**(1) The corporation shall keep or cause to be kept proper books of account and accounting records with respect to all financial and other transactions of the corporation, including, and without limiting the generality of the foregoing. Accounting records

- (a) records of all sums of money received from any source whatsoever and disbursed in any manner whatsoever; and
- (b) records of all matters with respect to which receipts and disbursements take place in consequence of the maintenance, operation and management of the corporation.

(2) The corporation shall keep or cause to be kept and maintained all such books of accounts and accounting records as the City treasurer may require. City treasurer

**24.** The corporation shall make all of its books and records available at all times to such persons as the council may require and shall provide certified true copies of such minutes, documents, books, records or any other writing as council may require. Examination of books, etc.

**25.—**(1) The corporation shall, in accordance with good business practice, keep and maintain an accurate inventory of its personal property and provide council with an inventory thereof as council may require. Inventory of personal property

Idem

(2) The inventory shall include separate inventories of the personal property for the Theatre-Auditorium, the Convention Centre and the Trade Centre-Arena.

Auditor

**26.** The accounts and transactions of the corporation shall be audited by the auditor of the City.

Information,  
etc.

**27.—(1)** The council may require the corporation,

(a) to provide information, records, accounts, agendas, notices or any paper or writing; and

(b) to make a report on any matter,

as council determines, relating to the carrying out of the purposes and objects of the corporation.

Filing of  
reports, etc.

(2) The corporation shall,

(a) file with the City clerk all such information, records, accounts, agendas, notices, paper and other materials as council may require; and

(b) make such reports within the time specified by council and containing such content as council may require.

Deemed not  
to  
be a local  
board  
R.S.O. 1980,  
c. 348

**28.** Except for the purposes of the *Ontario Municipal Employees Retirement System Act*, the corporation shall be deemed not to be a local board of the City.

Open  
meetings

**29.—(1)** The meetings of the board and the corporation shall be open to the public and no person shall be excluded from a meeting except for improper conduct as determined by the board.

Exceptions

(2) Notwithstanding subsection (1), meetings of the board may be held *in camera* in respect of,

(a) personnel matters, including matters related to wages, salaries and benefits;

(b) discipline, unless the individual affected requests that the meetings be open to the public;

(c) collective bargaining;

- (d) litigation and communications respecting solicitor-client relationships, including legal opinions and advice; and
- (e) proposed or actual contracts with persons and the financial results thereof, proposing or holding conventions, meetings, receptions, trade shows, conferences or events of any kind.

**30.**—(1) Subject to subsection (2), every director or officer of the corporation and his or her heirs, executors, administrators and other legal personal representatives may from time to time be indemnified and saved harmless by the corporation from and against,

Indemnification

- (a) any liability and all costs, charges and expenses that he or she sustains or incurs in respect of any action, suit or proceeding that is proposed or commenced against him or her for or in respect of anything done or permitted by him or her in respect of the execution of the duties of his or her office; and
- (b) all other costs, charges and expenses that he or she sustains or incurs in respect of the affairs of the corporation.

(2) No director or officer of the corporation shall be indemnified by the corporation in respect of any liability, costs, charges or expenses that he or she sustains or incurs in or about any action, suit or other proceeding as a result of which he or she is adjudged to be in breach of any duty or responsibility imposed upon him or her under this or any other statute unless, in an action brought against him or her in his or her capacity as director or officer, he or she has achieved complete or substantial success as a defendant.

Limitation

(3) The corporation may purchase and maintain insurance for the benefit of a director or officer thereof, except insurance against a liability, cost, charge or expense of the director or officer incurred as a result of his or her failure to exercise the powers and discharge the duties of his or her office honestly, in good faith and in the best interests of the corporation, exercising in connection therewith the degree of care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

Insurance

**31.** For the purposes of the *Assessment Act*, the corporation shall be deemed not to be,

- (a) a tenant or lessee that is liable to taxation; or

Corporation deemed not to be tenant or carrying on business for purposes of R.S.O. 1980, c. 31

- (b) occupying the Theatre-Auditorium, the Convention Centre or the Trade Centre-Arena for the purpose of or in connection with the carrying on of business.

## Profits

**32.—**(1) The City shall be entitled to receive any profits resulting from the operations of the corporation and shall be responsible for any deficit incurred by the corporation.

## Idem

(2) For the purpose of subsection (1), the City may determine what constitutes profits.

## Claims, etc.

**33.** All claims, accounts, demands, suits-at-law or causes of action arising from or relating to the objects of the corporation or from the exercise of any of the powers of the corporation shall be made upon and brought against the corporation and not upon or against the City.

## Dissolution

**34.** Upon the dissolution of the corporation and upon the payment of all debts and liabilities, its remaining property vests in the City.

Dissolution  
of  
existing  
corporations  
and transition

**35.** The Hamilton Performing Arts Corporation, Inc. and The Hamilton Place Convention Centre, Inc. are hereby dissolved and all their assets and liabilities become, on the date this Act comes into force, the assets and liabilities of the corporation subject to the following:

1. Where an agreement has been entered into by The Hamilton Performing Arts Corporation, Inc., the corporation shall stand in place and stead of The Hamilton Performing Arts Corporation, Inc. in respect only of the Theatre-Auditorium.
2. Where an agreement has been entered into by The Hamilton Place Convention Centre, Inc., the corporation shall stand in place and stead of The Hamilton Place Convention Centre, Inc. in respect only of the Convention Centre.

## Repeals

**36.** The following are repealed:

1. *The City of Hamilton Act, 1972*, being chapter 178.
2. Section 3 of *The City of Hamilton Act, 1975*, being chapter 97.
3. *The City of Hamilton Act, 1977*, being chapter 87.
4. *The City of Hamilton Act, 1980*, being chapter 99.



5. The *City of Hamilton Act, 1982*, being chapter 72.

37. This Act comes into force on the day it receives Royal Assent. Commence-  
ment

38. The short title of this Act is the *City of Hamilton Act, 1985*. Short title





REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FIRST Report and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) DOMTAR CHEMICALS GROUP, SIFTO SALT DIVISION, Mississauga, Ontario

Supply and delivery of Sodium Chloride in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's Tender as follows:

Coarse Crushed in 22.5 Tonne Dump Truck Loads - \$25.36 Per Tonne  
Highway Fine in 40 KG Bags - \$25.36 Per Tonne  
Ontario Sales Tax Extra 7%.

NOTE: Only tender received of 4 invited. Funding provided from various accounts.

(b) STEETLEY INDUSTRIES LTD., Dundas, Ontario

Supply of Treated and Untreated Sand in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's Tender as follows:

Treated Commercial Sand Delivered to Various Yards \$9.40 Per Tonne  
Treated Commercial Sand Picked-up \$7.70 Per Tonne  
Treated Commercial Sand Delivered to Airport \$9.88 Per Tonne  
Treated Commercial Sand Picked-up \$7.70 Per Tonne

Untreated Sand Delivered to Various Yards \$5.56 Per Tonne  
Untreated Sand Picked-up \$3.50 Per Tonne

NOTE: Lowest of 6 tenders. Funding provided from various accounts.

(c) LAKEVIEW SAND AND GRAVEL LTD., Cambridge, Ontario

Supply of Treated and Untreated Sand in accordance with specifications issued by the Co-ordinator of Regional Purchasing and Vendor's Tender as follows:



Treated Natural Sand Delivered to Various Yards \$10.14 Per Tonne  
Treated Natural Sand Picked-up \$7.25 Per Tonne  
Treated Natural Sand Delivered to Airport \$11.30 Per Tonne  
Treated Natural Sand Picked-up \$8.30 Per Tonne  
Untreated Sand Delivered to Various Yards \$5.95 Per Tonne  
Untreated Sand Picked-up \$3.25 Per Tonne

NOTE: Second lowest of 6 tenders. Funding provided from various accounts.

Term of above shall be from November 1st, 1985 to December 31st, 1985, together with an option exercisable by the City to extend the orders from January 1st, 1986 to December 31st, 1986. The option will require the approval of the new City Council after the municipal election to be held in November 1985.

2. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of St. Ann's Street between Barton Street East and a point 228 feet southerly therefrom be rescinded.
3. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the south side of Queensbury Drive, west of Upper Ottawa Street, be lengthened such that the regulation commences at a point 328 feet west of Upper Ottawa Street and extends to a point 86 feet westerly therefrom.
4. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the east side of Smith Avenue, commencing at a point 436 feet north of Cannon Street East and extending to a point 36 feet northerly therefrom.
5. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Herkimer Street, commencing at a point 324 feet west of Locke Street South and extending to a point 80 feet westerly therefrom.
6. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the west side of Hamilton Avenue between Concession Street and Mountain Park Avenue.
7. That the existing "No Stopping, Wheelchair Loading Only, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation on the south side of Bold Street in front of No. 267 Bold Street be changed, such that it is in effect 24 hours a day, seven days a week.

8. That the existing "Alternate Side Parking" regulation on Province Street North between Cannon Street and Campbell Avenue be switched, such that parking will be prohibited:
  - (a) on the west side of the street during the months of December, January, February and March and from the 1st to the 15th day of April, May, June, July, August, September, October and November; and
  - (b) on the east side of the street from the 16th to the last day of April, May, June, July, August, September, October and November.
9. That a "One Hour Parking Time Limit, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on Madison Avenue between Wilson Street and Cannon Street East, in combination with the existing "Alternate Side Parking" regulation.
10. That a stopping prohibition be implemented on the south side of the north leg of Lavina Crescent between Magnolia Drive and a point 120 feet westerly therefrom.
11. That a stop sign be erected to control westbound traffic on Callie Road at David Avenue.
12. (a) That the Boulevard Parking Agreement registered as Instrument No. 312468 C.D. which permits parking on the road allowance of Merchison Street adjacent to No. 77 Merchison, be discharged at the property owner's expense; and
  - (b) That the City Solicitor be directed to prepare the necessary documents; and
  - (c) That Grimsby Food Limited, the owners of the property, be permitted to execute an agreement to permit the landscaping on the road allowance of Merchison Street (an area of approximately 92m by 5m) adjacent to this property to be retained.
13. That the application of Mr. R. A. Blake, on behalf of the owner of 45 Munroe Street, Mr. Jeffrey Lane Yee, to retain the following inadvertent encroachment consisting of concrete steps 0.05m (0.16') by 1.22m (4.0') be approved, during the pleasure of City Council, provided:
  - (a) The owner enters into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
14. That the application of Mr. E. B. Fedak, on behalf of the owners of 86 Myrtle Avenue, Anthony DiPasquale, and Dominic Agresta, to retain the following inadvertent encroachment consisting of wood steps 0.26m (0.85') by 2.33m (7.65'), be approved, during the pleasure of City Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
15. That the application of Mr. H. W. Zahoruk on behalf of the owners of 560-564, 556-558 James Street North, Hansraj Enterprises Limited, to retain the following inadvertent encroachments on the road allowance of:
- 1) 556-558 James Street North, brick building 0.26m (0.86') by 11.58m (38.0') and,
- 2) 560-564 James Street North, brick building 0.28m (0.92') by 16.46m (54.0')
- be approved, during the pleasure of City Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 for each property be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
16. That the application of Mr. P. R. Tice on behalf of the owners of 75 Fullerton Avenue, Hamilton East Kiwanis Non-Profit Homes Inc., to retain the following inadvertent encroachment on the road allowance of Princess St., consisting of a frame addition 0.12m (0.39') by 2.4 m (8.0') be approved, during the pleasure of City Council, provided:



- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
17. That the application of Mr. Marius Sakas, owner of 31 John Street North, (Windsor Hotel, Hamilton, Limited) to retain the following encroachments on the road allowance of King William Street consisting of:
- 1) areaway 2.2m (7.22') by 1.5m (4.92') by 2.0m (6.56') deep
  - 2) areaway 1.34m (4.27') by 0.34m (1.12') by 1.0m (3.28') deep
- be approved during the pleasure of City Council provided:
- (a) The owner enters into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$50.22 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
18. (a) That the report of the Commissioner of Engineering and the City Treasurer recommending the construction of the following three concrete alleys as local improvements on petition pursuant to Section 11 of the Local Improvement Act, be adopted:
- (1) Alley first south of Bristol Street running from Sanford Avenue to Minto Avenue;
  - (2) Alley in the block bounded by Cedar Avenue, Afton Avenue, Prospect Street and Cumberland Avenue;
  - (3) Alley first north of Primrose Avenue running from Gage Avenue to Avondale Avenue.
- (b) That the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act.
  - (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton.
  - (d) That the Finance Committee determine the method of financing.



NOTE: (1) The proposed work consists of a 3.66m wide concrete alley first south of Bristol Street running from Sanford Avenue to Minto Avenue (Project 801-58H).

Total Estimated Cost	\$23 470.00
Owner's Share	\$ 6 492.11
City's Share	\$16 977.89

Estimated Subsidy - Nil

Reduction under Section 29 of the Act - \$3 400.45

Estimated Cost Per Metre - \$47

(2) The proposed work consists of a 3.66m wide concrete alley in the block bounded by Cedar Avenue, Afton Avenue, Prospect Street and Cumberland Avenue (Project 801-59H)

Total Estimated Cost	\$22 300.00
Owner's Share	\$ 8 992.98
City's Share	\$13 307.02

Estimated Subsidy - Nil

Reduction under Section 29 of the Act - Nil

Estimated Cost Per Metre - \$47

(3) The proposed work consists of a 3.66m wide concrete alley first north of Primrose Avenue running from Gage Avenue to Avondale Avenue (Project 801-60H)

Total Estimated Cost	\$18 940.00
Owner's Share	\$ 3 526.41
City's Share	\$15 413.59

Estimated Subsidy - Nil

Reduction under Section 29 of the Act - \$3 115.63

Estimated Cost Per Metre - \$47

19. That the Commissioner of Transportation be authorized to approve applications for the erection of Christmas Lights on Local Roads provided:

- (a) That the Associations indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss; and
- (b) That the Associations provide proof of liability insurance to the Commissioner of Transportation in the amount of \$1 000 000 naming the City as an added insured party with a provision for cross liability; and

- (c) That the Associations hire their own contractor(s) to erect and remove the said lights and decorations.

20. That the application of the following organizations to place banners on Main Street West in front of City Hall on the designated dates, be approved:

- 1) Copps Coliseum from December 9, 1985 to December 12, 1985

Message to read: "Copps Coliseum Public Open House, Sunday, December 15, 1985"

- 2) Sheraton Hamilton Hotel from December 12, 1985 to December 16, 1985

Message to read: "Now Open for Your Enjoyment"

- 3) Leeds of Hamilton Limited from December 16, 1985 to December 23, 1985 and from December 30, 1985 to January 13, 1986

Message to read: "Leeds Bridal Show, Hamilton Convention Centre, January 7 and 8, 1986"

- 4) World Junior Hockey Championships from December 23, 1985 to December 30, 1985

Provided that they meet the following conditions:

- (a) That all applicants pay a \$100 fee for each installation; and
- (b) That the applicants indemnify and save the City of Hamilton and the Region of Hamilton-Wentworth harmless from all actions, causes of actions, interest, claims, costs, damages, expenses and loss; and
- (c) That the applicants produce proof of public liability and property damage insurance of at least \$1 000 000 naming the City of Hamilton and the Region as added insured parties with a provision for cross liability, and have it filed with the Commissioner of Transportation; and
- (d) That the design and construction of the banner conform to the standards established by the Commissioner of Transportation; and
- (e) That the applicant submit a drawing(s) to the Commissioner of Transportation showing the subject matter and message content of the banner, prior to fabrication.

21. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Sol Frankel Properties for the collection of garbage at 51 Caroga Court, Hamilton.

NOTE: This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

22. Approval of the awarding of the following purchase order:

INLAND TRACKED EQUIPMENT, Toronto, Ontario

Repair Parts for SV30153 Ski Dozer, including steel tracks, tires and steering clutch band linings for the total sum of \$14 983.32.  
F.O.B. Toronto, Ontario.

NOTE: Lowest of 3 quotations. Funds provided in account 0348-0267.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: The Mayor, the appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

23. Approval of the awarding of the following contract:

SUPERIOR PROPANE, DIV. GULF CANADA RESOURCES, Smithville, Ontario

To supply and install Bulk Storage Tanks at Brampton Yard, Mohawk Avenue Yard and Chedoke Workshop in accordance with specifications issued by the Director of Purchasing and Vendor's Tender, for a three year period, as follows:

	1986	1987	1988
Total Price Per Litre, delivered and deposited in bulk storage tanks, all charges included.	\$.183	\$.183	\$.183

Prices subject to change due to any increases from Refinery, Freight Charges or any Government increases.

NOTE: Lowest of 3 tenders. Funds provided from various accounts.



24. That the City exercise its option to renew the contract for Potable Water with Robert N. Dawson Transport Ltd., as approved by Council October 29th, 1985 for the term of January 1, 1986 to October 31, 1986, November 1, 1986 to October 31, 1987, and November 1, 1987 to October 31, 1988.

NOTE: Tender Analysis of the two bids that were received is as follows:

	<u>Potable Water to each home</u>			<u>Potable Water in Tank Loads</u>		
	<u>1st Yr.</u>	<u>2nd Yr.</u>	<u>3rd Yr.</u>	<u>1st Yr.</u>	<u>2nd Yr.</u>	<u>3rd Yr.</u>
Dawson Trans.	\$14.50	\$14.75	\$15.00	\$9.50	\$9.75	\$10.00
F. Chaston	\$16.50	\$16.50	2nd year plus Cupe rate plus increase Cupe increase	\$11.00	\$11.00	2nd year plus Cupe rate plus increase Cupe increase

25. That the City exercise its option to renew the contracts for the Provision of Labour and Equipment for Snow Removal with 116 contractors as approved by Council October 8th, 1985 and appended hereto, for the term of January 1, 1986 to April 7, 1986, November 1, 1986 to April 7, 1987, and November 1, 1987 to April 7, 1988.

NOTE: Tenders are being accepted on the basis of the lowest bidder's equipment being used first and then the subsequent bidders are contacted for each snow fall. The 116 various contracts, the equipment being used and the various prices are stated on the appendix.

26. That the City exercise its option to renew the contract with Domtar Chemical Group, Sifto Salt Division for Sodium Chloride as approved by Council, for the term of January 1st, 1986 to December 31st, 1986.

NOTE: Only tender received is as follows:

Domtar Chemicals Group	Coarse Crush	\$25.36 Tonne
	40 KG bags	\$25.36 Tonne

27. That the City exercise its option to renew the contract with Steetley Industries Ltd., and Lakeview Sand & Gravel Ltd., for Treated and Untreated Sand as approved by Council, for the term of January 1st, 1986 to December 31st, 1986.



NOTE: Tender Analysis

		*Delivery Price	*Picked-Up Price
Treated Sand	Steetley Ind.	\$ 9.40 Tonne	\$ 7.70 Tonne
	Lakeview Sand	10.14	7.25
	Nelson Aggregates	11.80	9.15
	TCG Gravel	11.40	8.30
	Steetley Lime	12.94	10.78
	Bedrock Resource	13.40	9.60
Untreated Sand	Steetley Ind.	\$ 5.56 Tonne	\$ 3.50 Tonne
	Lakeview Sand	5.94	3.25
	Nelson Aggregates	6.65	4.00
	TCG Gravel	7.10	4.00
	Steetley Lime	7.16	5.00
	Bedrock Resource	6.05	2.25

\* Plus 7% Ontario Sales Tax

28. (a) That the City of Hamilton exercise the option to renew the Agreement dated September 29, 1983 between Laidlaw Waste Systems Ltd. and the City of Hamilton for the Collection of Compacted Garbage for the term to March 31, 1988.
- (b) That the City Solicitor be authorized and directed to prepare the required documentation.
- (c) That the Mayor and City Clerk be authorized and directed to execute the necessary documentation.
- (d) That the Director of Public Works notify the Contractor of the exercise of option.

NOTE: City Council, at its meeting held on September 28, 1983, adopted Item 3 of the 15th Report of the Transport and Environment Committee which authorized the awarding of this Contract to Laidlaw Waste Systems Ltd.

Part of that Contract is provision for an extension (at the City's option) of the Contract to March 31, 1988.

In 1983, Laidlaw's price was \$.39 per unit per month which was less than half of the next lowest tender and \$.34 less than the City could do it at cost. It is understood that this price has an escalation clause in it and it is anticipated that the 1986 price will be approximately \$.42 per unit per month.

29. Approval of the awarding of the following purchase order:

CANADIAN CORPS OF COMMISSIONAIRES (HAMILTON), Hamilton, Ontario

Parking Enforcement Services for 1986 -

	<u>Rate Per Hour</u>	<u>Holiday</u>
Sergeant	\$8.88	22.20
Corporal	8.39	20.98
Commissionaire	7.98	19.95

NOTE: This is a 4% increase over 1985 rates. Funds provided in account 0345-0319.

30. That the closing for the sale of 3.012 acres known as the former Hill Street Public Works Yard to Hamilton Baptist Non-Profit Homes Corporation be amended to March 17th, 1986 with requisitions to be submitted on or before February 28th, 1986.

NOTE: In adopting Item 3 of the First Report of the Transport and Environment Committee, City Council on January 29, 1985 approved the sale of 3.012 acres known as the Hill Street Yard to the Hamilton Baptist Non-Profit Homes Corporation. The transaction was expected to close on March 20, 1985 subject to obtaining the necessary financing from C.M.H.C.

Subsequently, City Council on two occasions authorized the extension of the closing date to July 17th, 1985 and December 16, 1985. In both cases the extensions were requested due to delays in obtaining funding from C.M.H.C.

On November 5th, 1985, staff received an inquiry from Mr. Frederick Christmas, solicitor on behalf of the purchaser, as to the possibility of the City extending the closing date once again to March 17th, 1986. C.M.H.C. is delaying any decision on funding for this project until the City's methane gas testing is completed and analyzed.

31. That City owned lands on the north west corner of Queenston Road and Kenora Avenue, comprising an area of 1 754 m<sup>2</sup> (18 874 sq.ft.) more or less, be leased to Cara Operations Limited for a term of five (5) years commencing as of the date of Council's resolution.

NOTE: The Lease agreement shall contain the same terms and conditions as contained in a preceeding Lease agreement and the rental rate shall be \$8 500 per annum plus municipal taxes as assessed from time to time, and the proceeds of the lease shall be credited to Account No. 0306-0513.

32. That the following Public Works account transfer be authorized:

\$26 000 from account #0350-9000 (Administration Special Projects)  
to account #0350-7300 (Roadway Tree Trimming)

NOTE: These funds are within the 1985 Public Works Budget and no additional funds are required.

During 1985, higher than expected costs were experienced in the Arborist Function Accounts, due to the number of severe winter snow and ice storms and the early spring wind storms that caused heavy damage to hundreds of street trees in the City, which reduced the funds available for the departments normal 1985 Tree Trimming Program.

The exceptionally dry summer reduced expenditures in the Administration Projects Accounts, that are normally expended inspecting and removing mud and debris from watercourse inlets after rain storms.

33. (a) That the Public Works Department continue to enforce the Streets By-law #9329 regarding the removal of snow and ice from sidewalks along side or in front of all classes of buildings by warning the occupants that snow or ice must be removed within 24 hours after a snow fall; and
- (b) That the Public Works Department clear the walks after the 24 hour warning has elapsed; and
- (c) That a flat rate of \$3.50 per square metre be added to the tax rolls for non-compliance and municipal forces clear away the snow or ice.

NOTE: For the information of Council, the Transport and Environment Committee directed the Public Works staff to review the snow removal policies, programs and procedures and prepare a report for a special meeting of the Transport and Environment Committee which would deal specifically with snow removal.

34. That eastbound and westbound traffic on Albright Road be required to stop for traffic on Harrisford Street.

35. That northbound and southbound traffic on Purnell Drive be required to stop for traffic at the northeasterly intersection of Clifton Downs Road.



36. That the direction of stop control at the intersection of South Bend Road and West 2nd Street be switched, such that eastbound and westbound traffic on South Bend Road is required to stop for traffic at West 2nd Street.
37. That northbound and southbound traffic on Paradise Road be required to stop at Edgevale Road/Place.
38. That eastbound traffic on Skylark Drive be required to stop at Pinewarbler Drive.
39. (a) That a stop sign be erected to control northbound traffic on Laird Drive at Carson Drive; and  
(b) That a stop sign be erected to control northbound traffic on Locheed Drive at Carson Drive.
40. (a) That a three-way stop control be implemented at the intersection of Rolston Drive and Miami Drive/Lynbrook Drive; and  
(b) That in accordance with the recommendation of the Hamilton-Wentworth Regional Police Department, a school traffic officer not be assigned to this location at this time.
41. That the direction of stop control at the intersection of Guildwood Drive and Napoli Drive/Court be switched, such that eastbound and westbound traffic on Guildwood Drive is required to stop for traffic on Napoli Drive/Court.
42. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the north side of Britannia Avenue, east of MacLaren Avenue be relocated, such that the regulation commences at a point 129 feet east of MacLaren Avenue and extends to a point 40 feet easterly therefrom.
43. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Anson Avenue, commencing at a point 574 feet west of Carson Drive and extending to a point 40 feet westerly therefrom.
44. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Barnesdale Avenue North, south of Barton Street East, be lengthened, such that the regulation commences at a point 30 feet south of Barton Street East and extends to a point 211 feet southerly therefrom.



45. That the existing "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation on the west side of Rolston Drive, south of Miami Drive, be lengthened, such that the regulation commences at a point 879 feet south of Miami Drive and extends to a point 120 feet southerly therefrom.
46. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the west side of Acadia Drive, commencing at a point 24 feet south of Butler Drive and extending to a point 320 feet southerly therefrom.
47. That the existing "No Parking" regulation on the north side of Peter Street which commences at a point 37 feet west of Queen Street North and extends to a point 26 feet westerly therefrom be rescinded.
48. That the existing "Alternate Side Parking" regulation on Holton Avenue South between Cumberland Avenue and the southerly end be switched, such that parking will be prohibited:
  - (a) on the east side of the street during the months of December, January, February and March and from the 1st to 15th day of April, May, June, July, August, September, October and November; and,
  - (b) on the west side of the street from the 16th to last day of April, May, June, July, August, September, October and November.
49. That the parking prohibition on the north side of Dunsmure Road, commencing at a point 87 feet east of Ottawa Street North and extending to a point 24 feet easterly therefrom be rescinded.
50. That stopping be prohibited on the south side of Napier Street commencing at a point 128 feet east of Caroline Street North and extending to the easterly end of the street.
51. (a) That the Keith, Industrial "A" and Industrial "B" Neighbourhoods be designated as Neighbourhood Watch areas; and
  - (b) That Neighbourhood Watch signs for the Keith, Industrial "A" and Industrial "B" Neighbourhoods be erected and maintained by the City Traffic Department, as long as these neighbourhoods maintain an active Neighbourhood Watch Program as determined by the regional Police Department; and
  - (c) That the necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).

52. That the existing "No Parking - Loading Only, 8:00 a.m. to 6:00 p.m." regulation in front of Avondale Carpets Incorporated, 279 Kensington Avenue North be revised, such that the regulation is in effect 24 hours a day, seven days a week.
53. (a) That a four-way stop control be implemented at the intersection of Queensdale Avenue and Prince George Avenue; and
- (b) That a three-way stop control be implemented at the intersection of Queensdale Avenue and Skyland Drive; and
- (c) That a three-way stop control be implemented at the intersection of Queensdale Avenue and East 13th Street; and
- (d) That a three-way stop control be implemented at the intersection of Queensdale Avenue and East 17th Street; and
- (e) That a four-way stop control be implemented at the intersection of Queensdale Avenue and East 26th Street.
54. That a "Three Hour Parking Time Limit" regulation to be in effect 24 hours a day, seven days a week be implemented on the north side of Alexander Street commencing at a point 95 feet east of Locke Street South and extending to Reginald Street.
55. (a) That the resolution, originally passed by Council at its meeting held 1985 August 27 terminating the Boulevard Parking Agreement with Calabria Supermarket, 103 Locke Street South, be re-affirmed; and
- (b) That the Jackson Street entrance to the parking lot of Calabria Supermarket be closed.
56. That a School Traffic Officer be assigned to the intersection of Kingfisher Drive and Curlew Avenue effective January 1986.
57. That a School Traffic Officer be assigned to the intersection of Ottawa Street North and Beach Road effective January 1986.
58. (a) That the City Solicitor be directed to prepare a By-law for the stopping-up, closing and sale of Keele Street, from Burlington Street to the C.N. Right-of-Way, pursuant to Section 298 (1) (c), and 316 of the Municipal Act R.S.O. 1980; and

- (b) That the City Clerk be directed to publish a notice pursuant to Section 301 of the Municipal Act R.S.O. 1980 of City Council's intention to pass the By-law; and
- (c) That Keele Street be sold to William Edgar Wilson and Hinz J. Kopmann at the price set forth in an offer dated October 30, 1985 (namely \$26 892) no later than February 28, 1986.
- (d) That the Regional Surveyor be authorized to prepare an appropriate reference plan to accompany the By-law.
- (e) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing pursuant to Section 48 of the Regional Municipality of Hamilton-Wentworth Act.
- (f) That it is the purchaser's responsibility to terminate and deal with the water and sewer pipes, and all other utilities and services running through, in, or under the part of Keele Street being closed, and that it is the purchaser's responsibility to arrange, at his expense, for water and sewer services, and all other utilities and services, in respect of that part of Keele Street being closed.
- (g) That in the event the purchaser wishes to abandon the existing watermain and combined sewer, these services be capped at the City's cost. The purchaser to be allowed a six (6) month period, to determine whether these utilities will be absorbed into his development. All costs associated with the ultimate disposition of the aforesaid utilities, to be charged to the revenue received from the sale of the lands.

NOTE: The City is the abutting owner on both sides of Keele Street.

- 59. That Section (iii) of Item 2 of the 11th Report of the Transport and Environment Committee, which approved the proposed stopping-up and closing of the public assumed alley first south of King Street, from Catharine Street to 60.48m westerly, and was adopted by City Council on June 25, 1985, be deleted and substituted with the following:

The City Clerk be directed to publish a notice pursuant to Section 301 of The Municipal Act R.S.O. 1980, of City Council's intention to pass the proposed By-law;".

- 60. Whereas an application has been received from Mr. W. E. Smith an abutting property owner, to close the "Unopened Road Allowance of Baxter Street, from Stroud Road to the Ontario Hydro Right-of-Way", it is therefore recommended:



- (a) That the City Solicitor be authorized to make an application to a County Court Judge under Section 82 of the Registry Act. R.S.O., 1980 for an order closing the street; and
  - (b) That the City Solicitor be authorized to prepare and register the necessary deeds in favour of the abutting owners under, Section 57 of the Surveys Act, R.S.O. 1980; and
  - (c) That the Commissioner of Engineering be authorized to sign an affidavit setting out that no public funds have been expended on the street; and
  - (d) That the documentation regarding the application to the County Court Judge be prepared by the applicant, to the satisfaction of the City Solicitor and that the applicant be responsible for all fees payable in County Court; and
  - (e) That the applicant register a reference plan under the Registry Act, said plan to be prepared by an Ontario Land Surveyor, to the satisfaction of the Regional Surveyor, and to delineate the manner in which the closed street is to be distributed among the abutting owners, and that the applicant deposit a reproducible copy of said plan with the Regional Surveyor; and
  - (f) That the Commissioner of Transportation be authorized to make application to the Regional Municipality of Hamilton-Wentworth for approval of the proposed closing, pursuant to Section 48 of the Regional Act.
61. (a) That the report of the Commissioner of Engineering and the City Treasurer recommending the construction of a concrete alley first east of Locke Street running from Charlton Avenue to Alexander Street as a local improvement on petition pursuant to Section 11 of the Local Improvement Act, be adopted; and
- (b) That the City Solicitor be directed to make application for approval under Section 64 of the Ontario Municipal Board Act; and
  - (c) That the Commissioner of Engineering be authorized to construct these works on behalf of the City of Hamilton once all the necessary approvals have been received; and
  - (d) That the Finance Committee determine the method of financing.



NOTE: The proposed work consists of a 3.66m wide concrete alley first east of Locke Street running from Charlton Avenue to Alexander Street. (Project 801-62H).

Total Estimated Cost	\$16 100.00
Owner's Share	\$ 3 268.38
City's Share	\$12 831.62

Estimated Subsidy - Nil

Reduction under Section 29 of the Act - \$3 395.28 (72.24m)

Estimated Cost Per Metre - \$47

62. That the application of Mr. D. V. Ferguson on behalf of the owners of 64 Edgemont Street South, Michael Edward and Theresa Bernadette Durney, to retain the following inadvertent encroachment on the road allowance consisting of a step 0.15m (0.48') by 1.37m (4.5') be approved, during the pleasure of City Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
63. That the application of Mr. N. L. Harrington on behalf of the owner of 49 Fairleigh Crescent, Mr. Jonathon Mitchell, to retain the following inadvertent encroachment on the road allowance consisting of a brick porch 0.9m (3.0') by 5.5m (18.0') be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
64. That the application of Mr. M. Mihailovlich on behalf of the owner of 36 Madison Avenue, U.N.H. Incorporated, to retain the following inadvertent encroachment consisting of a front step 0.15m (0.5') by 1.2m (4.0') be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.

- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
65. That the application of Mr. K. McPherson, on behalf of the owner of 76 East Avenue North, Mr. Roy Stahler, to retain the following inadvertent encroachment consisting of front steps, 1.1m (3.67') by 1.5m (5.0') be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
66. That the application of Mr. P. R. Tice on behalf of the owner of 232 Forest Avenue, Mr. Robert Williamson, to retain the following inadvertent encroachment on the road allowance consisting of veranda and steps 1.5m (4.75') by 5.5m (18.0') be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
67. That the application of Mr. A. K. Lishman on behalf of the owners of 107 Belmont Avenue North, James and Laura Bobiak, to retain the following inadvertent encroachments on the road allowance of:
- (i) Belmont Avenue, wood steps 0.37m (1.22') by 1.07m (3.5'), and
- (ii) Roxborough Avenue, concrete steps 0.40m (1.32') by 1.07m (3.5')
- be approved during the pleasure of City Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

68. That leave be granted to introduce the following bills:

- (a) A-59 By-law to amend By-law 66-100 to Regulate Traffic
- (b) A-60 By-law to amend By-law 66-100 to Regulate Traffic
- (c) A-1 By-law to widen Templemead Drive, by incorporating therein Part 4, Plan 62R-7836
- (d) A-2 By-law to extend Everest Street, by incorporating therein a portion of Block 30, Plan 62M-345
- (e) A-3 By-law to expropriate land for highway and municipal purposes
- (f) A-4 By-law to amend By-law 66-100 to Regulate Traffic
- (g) A-5 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary  
Attach.

1985 December 02

Referred to in Section 25 of the  
First Report of the Transport and  
Environment Committee.

SNOW REMOVAL EQUIPMENT RENTAL

MOTOR GRADER MOUNTED SNOW PLOW & WING

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Carlo Bros. Limited 35 Lawfield Dr. Hamilton	75.00	76.00	77.00	1	Front - 8'x3' Bottom- 14'x2' Wing - 13'x3'
C.G.L. Grading & Snow Removal 93 Leinster Ave. S. Hamilton L8M 3A4	90.00	93.00	96.00	2	12'
King Paving & Materials Ltd. P.O.Box 699, Burlington	78.00	83.00	88.00	1	14'
L7R 3Y5	78.00	83.00	88.00	1	12'
G.F.Mason Excavating Ltd. P.O.Box 6, Fruitland	65.00	69.00	73.00	3	12'
John Donovan Cont. 11 Crockett St., Hamilton	70.00	75.00	80.00	2	12'
	70.00	75.00	80.00	1	13'
Sisson Construction/ O/A Quigley Contracting Lot 5, Hendershot Rd Glanbrook LOR 1P0 Box 178 Hannon	86.50	89.50	91.50	2	13'
Vernon Sims Excavating Ltd. Box 98, Hannon, LOR 1P0	78.00	82.00	86.00	4	12'
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton, Ont.	80.00	85.00	90.00	1	Wing - 12' 13'6"
Delta Ready Mix Limited 1875 Barton St. E. Hamilton, Ontario	85.00	93.00	100.00	1	14'

MOTOR GRADER ONLY

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Vernon Sims Excavating Ltd. Box 98, Hannon, LOR 1P0	74.00	78.00	82.00	4	12'
Sisson Construction/ O/A Quigley Contracting Lot 5, Hendershot Rd. Glanbrook, Ont. LOR 1P0 Box 178, Hannon, Ont.	75.00	78.00	80.00	4	12'
King Paving & Materials Ltd. P.O.Box 699, Burlington L7R 3Y5	78.00	83.00	88.00	2	12'
C.G.L. Grading & Snow Removal 83 Leinster Ave. S. Hamilton, Ont. L8M 3A4	78.00	81.00	84.00	1	12'
590309 Ontario Limited O/A Advance Excavating 125 Gailmont Dr. Hamilton L8K 4B8	75.00	80.00	85.00	1	13'
	75.00	80.00	85.00	1	14'



MOTOR GRADER ONLY (CONT'D)

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Danhill Equipment Rental Ltd. 4 Parkland's Drive Hamilton L8K 4W7	83.00 83.00	88.00 88.00	93.00 93.00	1 1	12' 13'
Wm Groves Limited 800 Rennie St. Box 3474 Stn C Hamilton L8H 7M1	77.00	81.60	86.50	1	13'
Dig-it Contractors Ltd. 4145 Trinity Church Rd. R.R.#2 Binbrook LOR 1C0	70.00	73.00	75.00	3	13'
John Vanderkamp Contracting Ltd. 609 Safari Rd. Millgrove LOR 1V0	65.00	66.50	70.00	1	11'
Bond General Construction Ltd. 780 Rennie St. Hamilton L8H 3R2	60.00	66.00	72.60	1	13'
Delmar Contracting Ltd. 696 Arvin Ave. Fruitland LOR 1L0	79.00	84.00	88.00	3	12'
Nelson Excavating Company Ltd. 150 Brockley Dr. Stoney Creek	75.00	80.00	85.00	1	12'
Da-Lee Excavating Ltd. 350 Jones Rd. Fruitland	72.00	79.00	86.00	1	12'
Delta Ready Mix Limited 1875 Barton St. E. Hamilton, Ont.	80.00 80.00 80.00	88.00 88.00 88.00	95.00 95.00 95.00	1 1 1	12' 13' 14'

TANDEM DUMP TRUCKS

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Yardage of Box</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Cardi Construction Limited 24 Garden Ave. Stoney Creek L8E 2Y9	35.00	37.00	39.00	4	20 3/4 Cu. Yds
Roma Concrete & Paving 2 Hewitson Rd. Stoney Creek L8E 2T4	32.00	33.00	35.00	1	14 Cu. Yds
Carmelo Castellano 22 Imperial St. Hamilton L8L 4E3	33.00	35.00	37.00	1	20 Cu.yds
Case Construction Ltd. 58 Tuxedo Ave. S. Hamilton	35.00	38.00	41.00	1	19 Cu. Yds.
Salvatore Lauricella 274 Rymal Rd. W. Hamilton L9B 1D8	33.00	35.00	37.00	1	20 Cu. Yds.
Nu-Way Paving Company 8029 Twenty Rd. E. Hamilton L9B 1P9	30.00	33.00	36.00	1	14 Cu. Yds.

SNOW REMOVAL EQUIPMENT RENTAL

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<u>TANDEM DUMP TRUCKS (CONT'D)</u>	<u>Per Hour</u>			<u>No. of Units</u>	<u>Yardage of Box</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Giuseppe Gallo 8010 Chippewa Creek, RR#3 Mount Hope LOR 1W0	37.00	40.00	44.00	2	18 Cu. Yds.
Pasinato Haulage Inc. 213 Stone Church Rd. W. Hamilton L9B 1A2	37.00 34.00	39.00 36.00	41.00 38.00	51	{ 20 Cu. Yds 16 Cu. Yds.
E. Hibbard & Sons Ltd. 204 East 25th St. Hamilton L8V 3A5	30.00	31.00	33.00	1	14 Cu. Yds.
Ilija Bubalo Box 37, Group 4, RR2 Stoney Creek L8G 3X5	36.00	38.00	40.00	3	20 Cu. Yds.
Michael A. Breen 43 Main St. Waterdown LOR 2H0	29.00 29.00 29.00	30.00 30.00 30.00	31.00 31.00 31.00	1 1 1	14 Cu. Yds 14 Cu. Yds 16 Cu. Yds
J & R Trucking P.O.Box 52 Binbrook LOR 1C0	34.00 34.00	36.00 36.00	38.00 38.00	3 1	3 - 14cu yds 1 - 14cu yds
Battaglia Sewer Contractor Ltd. 101 Arbour Rd. Hamilton L8W 2A3	37.00	40.00	43.00	1	14 Cu. Yds
Bob Beleny R.R.#2 Beamsville LOR 1B0 (Michael D. Henderson) Henderson Trucking 23 Ferrie St. E. Hamilton, L8L 3S6	33.00 33.00	34.00 34.00	35.00 35.00	1 1	25 Cu. Yds 16 Cu. Yds
R.G.Duffie Contracting Ltd. 267 Aberdeen Ave. Hamilton, Ont.	38.00	39.00	40.00	1	16 Cu. Yds
Vince Soliveri 44 Heritage Dr. Stoney Creek L8G 4H8	34.00	36.00	38.00	1	16 Cu. Yds
Ezio Costanzo Haulage Div. Ezio's Garage Ltd. 480 Barton St. E. Hamilton, Ont.	38.00 38.00	42.00 42.00	45.00 45.00	1 1	16 1/2 Cu. Yds 16 1/6 Cu. Yds
John Scap 53 McIntosh Ave. Hamilton L9B 1J3	32.00	34.00	36.00	1	20 Cu. Yds
Peter Nikolica 32 Murray St. W. Hamilton	35.00	35.00	36.00	1	18 Cu. Yds
G. Marchese Haulage 30 Melvin Ave. Hamilton	31.00 31.00	32.00 32.00	33.00 33.00	1 1	16 Cu. Yds 18 Cu. Yds
Vince Martino Haulage 151 Kenora Ave Hamilton	31.00	32.00	33.00	1	20 Cu. Yds
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D	36.00 34.00	38.00 36.00	40.00 38.00	8 17	20 Cu. Yds 16 Cu. Yds.

SNOW REMOVAL EQUIPMENT RENTAL (Cont'd)

TANDEM DUMP TRUCKS (Cont'd)

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	85/86	86/87	87/88	No. of Units	Yardage of Box
Vern Schaeffer R.R.#1 Caledonia	34.00	35.00	36.00	1	14½ Cu. Yds
Tony & Paul Concrete 3 Hunter Rd. Grimsby L3M 4A3	30.00	31.00	31.50	1	17 Cu. Yds
Albert Ciccotti O/A A.C.Paving 596 Barton St. E. Stoney Creek	35.00	37.00	39.00	1	16 Cu. Yds
	35.00	37.00	39.00	1	17½ Cu. Yds
J & M Caucci 179 Highridge Ave. Stoney Creek L8E 3L5	30.00	31.00	31.50	1	17 Cu. Yds.
Loro Contracting R.R.#2 Binbrook LOR 1C0	35.00	37.00	40.00	2	20 Cu. Yds
Workman Excavating (Daryl Workman) 2000 Main St. W. Hamilton, L8S 4M8	32.00	34.00	36.00	2	18 Cu. Yds
559814 Ontario Inc. C.O.B. Deluca Haulage & Excavating 46-132 Gailmont Dr. Ham.	37.00	40.00	44.00	3	18 Cu. Yds
Fair Excavating Company Limited 658 Fiddlers Green Rd. R.R.#2 Ancaster	30.00	33.00	35.00	1	Single Axle
	35.00	37.00	38.00	2	Double Axle
Molisan Construction Co. Ltd 40 Hildegard Dr. Hamilton	38.00	40.00	42.00	1	14 Cu. Yds
482916 Ontario Inc. Luciano Mileli 667 Rymal Rd. W. R.R.#1 Ancaster	36.00	37.00	38.00	1	20 Cu. Yds
Carlo Bros. Limited 35 Lawfield Dr. Hamilton	33.00	34.00	35.00	2	16 Cu. Yds
Stuart Fletcher Exc. Ltd. 11 East 32nd St. HAMILTON, Ontario	45.00	50.00	55.00	1	16 Cu. Yds
Da-Lee Excavating Ltd. 350 Jones Rd. Fruitland	40.00	44.00	48.00	1	15 Cu. Yds
	40.00	44.00	48.00	1	16 Cu. Yds
Delmar Contracting Ltd. 696 Arvin Ave. Fruitland	35.00	37.50	40.00	4	18 Cu. Yds

SNOW REMOVAL EQUIPMENT RENTAL

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<u>TANDEM DUMP TRUCKS (CONT'D)</u>		<u>Per Hour</u>			<u>No. of Units</u>	<u>Yardage of Box</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>			
Bono General Construction Ltd.	36.00	39.60	43.56	2	17 Cu. Yds	
780 Rennie Street	35.00	38.50	42.35	1	16 Cu. Yds	
Hamilton L8H 3R2						
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John Vanderkamp Contracting Ltd.						
609 Safari Rd.	35.00	37.00	39.00	2	15 Cu. Yds	
Millgrove LOR 1V0						
<hr/>						
590308 Ontario Ltd.						
O/A Advance Excavating	34.00	36.00	38.00	3	14 Cu. Yds	
125 Gailmont Dr.						
Hamilton, Ont L8K 4B8	34.00	36.00	38.00	1	18 Cu. Yds	
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Vernon Sims Excavating Ltd.						
Box 98	36.00	40.00	44.00	3	16 Cu. Yds	
Hannon LOR 1P0						

<u>RUBBER TIRRED LOADERS</u>		<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Bucket (Cu.)</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>			
Vernon Sims Excavating Ltd.	42.00	44.00	46.00	4	{ 1 1/2 yd 2 yd	
Box 98	46.00	50.00	54.00			
Hannon LOR 1P0						
<hr/>						
590308 Ontario Limited	42.00	44.00	46.00	1	1 yd	
O/A Advance Excavating						
125 Gailmont Dr.	42.00	44.00	46.00	1	1.3 yd	
Hamilton L8K 4B8						
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John Vanderkamp Contracting Ltd.	80.00	85.00	90.00	1	4 1/2 yd	
609 Safari Rd.	42.00	43.00	44.00	1	1 1/2 yd	
Millgrove LOR 1V0						
<hr/>						
Bono General Construction Ltd.	65.00	71.50	78.65	1	3 yd	
780 Rennie Street	42.00	46.20	50.82	1	1 1/2 yd	
Hamilton L8H 3R2	55.00	60.50	66.55	1	2 yd	
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Delmar Contracting Limited	79.00	84.00	88.00	3	3 1/2 yd	
696 Arvin Ave	65.00	69.00	73.00	1	2 yd	
Fruitland LOR 1L0	60.00	64.00	68.00	1	1 1/2 yd	
	60.00	64.00	68.00	1	1 yd	
<hr/>						
Da-Lee Excavating Ltd.						
350 Jones Road	45.00	49.50	54.00	2	1 1/2 yd	
Fruitland						
<hr/>						
Stuart Fletcher Exc. Ltd.	50.00	55.00	60.00	1	1 1/2 yd	
11 East 32nd	70.00	75.00	80.00	1	3 yd	
Hamilton						
<hr/>						
Molisan Construction Co. Ltd.						
40 Hildegard Dr	40.00	42.00	44.00	1	1 1/2 yd	
Hamilton						
<hr/>						
Fair Excavating Company Ltd.	55.00	60.00	65.00	1	2 1/2 yd	
658 Fiddlers Green Rd.						
R.R.#2 Ancaster L9G 3L1	45.00	50.00	55.00	1	1 1/2 yd	
<hr/>						
Workman Excavating (Daryl Workman)						
2000 Main St. W.	43.00	45.00	47.00	3	1 1/2 yd	
Hamilton L8S 4M8						



SNOW REMOVAL EQUIPMENT RENTAL

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<u>RUBBER TIRED LOADERS</u>	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Bucket (Cu.)</u>
	85/86	86/87	87/88		
Loro Contracting	45.00	47.00	50.00	1	1 1/2 yd
R.R.#2 Binbrook	56.00	60.00	64.00	1	2 1/2 yd
LOR 1C0	65.00	70.00	75.00	1	3 1/2 yd
<hr/>					
Tony & Paul Concrete 3 Hunter Rd. Grimsby L3M 4A3	35.00	36.00	36.50	1	1 1/2 yd
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R.G.Duffie Contracting Ltd. 267 Aberdeen Ave. Hamilton, Ont.	38.00 40.00	39.00 41.00	40.00 42.00	1 1	1 1/2 yd 1 1/2 yd
<hr/>					
Battaglia Sewer Contractor Ltd. 101 Arbour Rd Hamilton L8W 2A3	38.00	41.00	44.00	2	1 1/2 yd
<hr/>					
Case Construction Ltd. 58 Tuxedo Ave. S. Hamilton, Ont	40.00	43.00	46.00	2	1 1/2 yd
<hr/>					
Roma Concrete & Paving 2 Hewitson Rd. Stoney Creek L8E 2T4	38.00	40.00	42.00	1	3/4 yd
<hr/>					
Cardi Construction Ltd. 24 Garden Ave. Stoney Creek	42.00	44.00	46.00	2	1 1/2 yd.
<hr/>					
Crayford Enterprise Ltd. 912 Rymal Rd. Hamilton 160 Woodburn Rd. Hannon	42.00	44.00	46.00	2	1.2 yd
<hr/>					
Bill Wilcockson Trenching 182 East 19th St. Hamilton L9A 4S5	40.00	41.00	42.00	1	1 1/2 yd
<hr/>					
Benny Haulage Limited 66 Hillyard St. Hamilton	67.00	70.00	74.00	1	3 yd
<hr/>					
David Coverdale O/A Mountsberg Excavating 1554 Old Hwy 99, R.R.#3 Dundas L9H 5E3	40.00	44.00	48.00	2	1 1/2 yd
<hr/>					
Beattie Equipment Rentals Inc. R.R.#3 Puslinch	44.00	48.00	52.00	1	1 1/2 yd
<hr/>					
Ancaster Sewer Cont. 380 Mohawk Rd. W. Hamilton	34.00	36.00	36.00	2	1 1/2 yd
<hr/>					
Hamilton Sod Company Ltd. R.R.#1, Box 302 Mount Hope LOR 1W0	45.00	48.00	52.00	1	1 yd.
<hr/>					
Dig-It Contractors 4145 Trinity Church Rd. R.R.#2 Binbrook LOR 1C0	40.00	42.00	44.00	1	1 3/4 yds
<hr/>					
Nelson Excavating Company Ltd. 150 Brockley Dr Stoney Creek	66.00 45.00	70.00 47.00	74.00 49.00	1 2	3 1/2 yds 1 1/2 yds

SNOW REMOVAL EQUIPMENT RENTAL

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RUBBER TIRED LOADERS CONT'D

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Bucket (Cu)</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Delta Ready Mix Limited 1875 Barton St. E. Hamilton	80.00	88.00	95.00	1	5 yds
DiFranco Construction 198 West 2nd St. Hamilton	40.00	42.50	45.00	1	1 yd.
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D Hamilton L8V 4S7	42.00	45.00	48.00	3	1 - 1 3/4 yd 2 - 1 1/2 yd

WHEELED SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
E. Woytkiw Haulage Ltd. P.O.Box 4535 Stn D Hamilton L8V 4S7	40.00	43.00	47.00	1	5'
John Donovan Cont. 11 Crockett St. Hamilton	40.00	45.00	50.00	1	4'
Benny Haulage Ltd. 66 Hillyard St. Hamilton	45.00	48.00	51.00	1	60"

Crayford Enterprise Ltd. 912 Rymal Rd., Hamilton	36.00	39.00	42.00	1	5' Ford
160 Woodburn Rd., Hannon	38.00	41.00	44.00	1	5' Bobcat
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton	50.00	55.00	60.00	1	60"

WHEELED SIDEWALK CLEANER WITH BLOWER

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Width of Blower</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
DiFranco Construction 148 West 2nd St. Hamilton	20.00	22.50	25.00	1	32"

TRACK SIDEWALK CLEANER WITH BLADE LESS THAN 5'

	<u>Per Hour</u>			<u>No. of Units</u>	<u>Size of Blade</u>
	<u>85/86</u>	<u>86/87</u>	<u>87/88</u>		
Penny Haulage Limited 66 Hillyard St. Hamilton	45.00	48.00	51.00	1	60"
Jack Belanger 121 Chilton Dr. Stoney Creek	35.00	38.00	40.00	7	52"

MISCELLANEOUS EQUIPMENT - OWNED

		<u>Per Hour</u>		
		<u>85/86</u>	<u>86/87</u>	<u>87/88</u>
Vernon Sims Excavating Ltd. Box 98 Hannon LOR 1P0	1 - Cat D-8 Dozer	75.00	80.00	85.00
Bono General Construction Ltd. 780 Rennie Street Hamilton L8H 3R2	1 - Chev. 4 wheel - Model 20	30.00	33.00	36.30
Delmar Contracting Limited 696 Arvin Ave. Fruitland LOR 1L0	2 - D6C Caterpillar Dozer	69.00	74.00	79.00
Molisan Construction Co. Ltd. 40 Hildegard Dr. Hamilton	1 - 3/4 ton pickup truck 4x4, snow plow	38.00	40.00	42.00
Workman Excavating (Daryl Workman) 2000 Main St. W. Hamilton L83 4M8	1 - J.D. 3540 Front Mounted Augger 86" Snow Blower	50.00	52.00	54.00
Case Construction Ltd. 58 Tuxedo Ave. S. Hamilton, Ont.	1 - G.M.C. 4x4 Pickup Truck 1 ton	30.00	33.00	36.00
Ancaster Sewer Cont. 380 Mohawk Rd. W. Hamilton	1 - Toyota 4x4 with 6' 2way blade 1 - Jeep 4x4 with 6' 2way blade	34.00 34.00	36.00 36.00	36.00 36.00
Hamilton Sod Company Limited R.R.#1 Box302 Mount Hope LOR 1W0	1 - Chev 3/4ton Pickup 4x4 with hydraulic plow	41.34	43.82	46.45
Delta Ready Mix Limited 1875 Barton St. E. Hamilton	2 - Caterpillar D-6	80.00	88.00	95.00
Crescan Resources Ltd. P.O.Box 32 Stn A Hamilton	1 - Ford F250 4x4 7 1/2' plow 1 - Dodge Ram 4x4 7 1/2' plow	38.00 38.00	39.00 39.00	40.00 40.00
Mike's Haulage 156 Columbia Dr. Hamilton L9C 3Y6	1 - Ford 4x4 with blade	36.00	38.00	40.00
E. Woytki Haulage Ltd. P.O.Box 4535 Stn. D Hamilton L8V 4S7	6 - Chev & Ford 4x4 with 8' blade	35.00	37.00	39.00
Stuart Fletcher Exc. Ltd. 11 East 32nd St. Hamilton	2 - Cat D6 track blade	70.00	75.00	80.00

MISCELLANEOUS EQUIPMENT - NON-OWNED

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		<u>Per Hour</u>		
		<u>85/86</u>	<u>86/87</u>	<u>87/88</u>
Workman Excavating (Daryl Workman)	1 - M.F. 1135 Rear Mounted Double			
2000 Main St. W.	Auger 86" Snow Blower	50.00	52.00	54.00
Hamilton L8S 4MB	1 - M.F. 1100 Rear Mounted Double Auger	50.00	52.00	54.00
	86" Snow Blower			
R.G.Duffie Contracting Ltd.				
267 Aberdeen Ave.	1 - Chev C25 4x4 with 8' blade	37.00	38.00	39.00
Hamilton	1 - Chev C15 4x4 with 8' Blade	36.00	37.00	38.00









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its First Report and respectfully recommends:

1. (a) That approval in principal be given to apply to the Ministry of Tourism and Recreation to host the 1987 Winter Games - Disabled and the 1988 Summer Games - Ablebodied.
- (b) That staff be authorized to meet with Provincial representatives to determine the facility, staffing and financial implications for these events.
2. (a) That safety deluge showers and eye wash units be installed immediately in 21 recreational facilities where chemicals are handled and dispensed by staff, at an estimated cost of \$35 000.
- (b) That the Finance Committee recommend the method of financing.

NOTE: The installation of this safety equipment is as a result of an inspection of pool filtration rooms by the Department of Labour and a subsequent issuance of an Order to Comply.

3. (a) That permission be given to apply for a New Horizon Grant to assist with the establishment of a computerized information service for senior citizens at the Main-Hess Senior Citizen Centre.
- (b) That permission be given for the City of Hamilton to enter into a rental agreement with the Ontario Housing Corporation for the rental of an office for the information service.

NOTE: The Parks and Recreation Committee have requested a six month status report on the computerized information service at the Main Hess Senior Citizens Centre.

4. (a) That the replacement of the refrigeration systems at Coronation, Eastwood and Parkdale Arenas be approved and scheduled for the 1986 Capital Budget at an estimated cost of \$2 175 000.
- (b) That the Finance Committee recommend the method of financing.
- (c) That all necessary authorizations be obtained by January 1986 in order to allow tenders to be called and construction to commence in May, 1986 with completion estimated to be by the end of August, 1986.



5. That approval be granted to reduce the individual admission fees for handicapped persons from the full adult rate to the respective senior rate at each of the following sites, effective 1986 January 1:

- (a) Dundurn Castle from \$2.75 to \$2.00.
- (b) Hamilton Military Museum from \$1.40 to \$1.15.
- (c) Whitehern from a \$1.75 to \$1.15.

Note: This is a reduction in the adult rate and therefore not applicable at the Childrens Museum.

6. That Mrs. Susan Shaker, a citizen member of the Hamilton Historical Board be re-imbursed at a maximum cost of \$155 for her attendance at the 14th Annual Conference of the Ontario Museum Association held on 1985 October 24 - 27 in Hamilton (to be charged to Account No. 0321-0291).

7. (a) (i) That the rehabilitation of the north and south stands of Ivor Wynne Stadium at an estimated cost of \$1 275 000 be proceeded with as provided for in the Capital Budget No. 32624-B 1985 portion of the 1985 - 1989 Capital Budget.

- (ii) That the Finance Committee recommend the method of financing the rehabilitation costs for Ivor Wynne Stadium in the amount of \$1 275 000.

- (b) (i) That approval be granted for the following rehabilitation projects to be proceeded with immediately at Ivor Wynne Stadium, at an estimated cost of \$514 000;

a) Press boxes - extension and repair	\$400 000
b) Wall repairs - south side	10 000
c) Ticket booth reconstruction and fence	14 000
d) Wheel chair accessible stand to replace present temporary stand	75 000
e) Repairs to stairways	15 000
	<u>\$514 000</u>

- (ii) That the \$514 000 be financed as follows:

- \$270 000 remaining in the allocation previously approved by City Council and the Ontario Municipal Board for rehabilitation to Ivor Wynne Stadium (\$625 000)
- \$244 000 from the \$1 275 000 the Finance Committee to recommend the method of financing referred to in 7(a)(ii).

8. That an option to purchase a portion of City lands known as Olympic Park on the north-east corner of Scenic Drive and Mohawk Road West by the Region be approved and that the Mayor and the City Clerk be authorized to execute the agreement in a form satisfactory to the City Solicitor.

NOTE: These lands comprising of a total area of 160.91 square meters (1,732 square feet) are required by the Region for the purpose of widening Scenic Drive at Mohawk Road West. The completion of the transaction at the purchase price of \$1 869 is scheduled to close on or before 1986 March 19.

9. (a) Approval of the leasing of 48 Holly Avenue to Erika Hadfield at a one time rental rate of \$200 for the period of 1985 October 3-31 and a monthly rate of \$315 including realty taxes commencing 1985 November 1.
- (b) That the Mayor and City Clerk be authorized to execute the tenancy agreement.
10. (a) That the Corporation of the City of Hamilton as expropriating authority, apply to the Council of the Corporation of the City of Hamilton as approving authority for approval to expropriate 1 Beck Street and 174 Belview Avenue for a park, pursuant to Section 208 (51) of the Municipal Act.
- (b) That the City Clerk be authorized and directed pursuant to the Expropriations Act to:
- i) Give notice of the City's application to all owners, registered owners, and tenants (as defined in the Expropriations Act.) of the said lands.
  - ii) Advertising notice of the City's application in a newspaper as required by the Expropriations Act.
  - iii) Sign and receive the said application for approval to expropriate.
11. Approval of the awarding of the following contracts:

- (a) JULIAN ROOFING, (ONTARIO), LIMITED, STONEY CREEK, ONTARIO

Supply all labour, material and equipment required for re-roofing and roof repairs to the existing roofs at Hill Park Recreation Centre, Hamilton, Ontario including all applicable Federal and Provincial sales tax, including designated contingency allowances of \$600 for the total sum of .....\$43 900.

NOTE: Lowest of 4 tenders. Funding provided for in Account 0408-A75331. This purchase was processed in accordance with the emergency procedures of the City Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman, or the Chief Administrative Officer and is at this time being reported to City Council for formal ratification.

(b) UNITED STEP & METAL CO., HAMILTON, ONTARIO

Supply and install grave crypts as required during 1986, 1987, & 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Regular - \$165 Each  
Youth - \$160 Each  
Oversize - \$182 Each

NOTE: Lowest of 3 tenders. Funds provided for in Account 1226.

12. That approval be given to stockpile clean fill to a limit of 55,000 cu. metres, on the Lax property provided that:
  - (a) The location is agreed to by the Ministry of the Environment.
  - (b) The contractor delivering the material provides machinery to smooth and pile it as directed, provide liability insurance satisfactory to the City Solicitor and provides supervision to prevent unauthorized access while they are on the Lax property.
13. (a) That the firms of Coombes, Kirkland, Berridge, Toronto, Ontario and Booth Aquatic Research Ltd., Toronto, Ontario be retained on a per diem basis at a cost not to exceed \$10 000 to assist in developing a management plan for the removal and containment of contaminated wastes on the waterfront lands. The costs to be charged to Account 0408-U42713.
14. (a) That the Tariff of Charges for City-owned cemeteries as outlined in the attached Schedule "A", be approved and implemented upon receipt of approval from the Ministry of Consumer and Commercial Affairs, Cemeteries Branch.
  - (b) That the City Solicitor be authorized and directed to prepare a by-law to amend Cemetery By-law 8861 to provide for the increase in the Tariff of Charges.
  - (c) That the Director of Cemeteries be authorized and directed to make application to the Ministry of Consumer and Commercial Affairs, Cemeteries Branch, for approval of these rates.
15. That the 1986 Membership Fees for Chedoke and King's Forest Golf Courses, as outlined on the attached Schedule "B", be approved.

NOTE: For the information of the Members of City Council, at present pensioners are restricted to week day play only. With the adoption of this recommendation, there will be no restriction on when pensioners are permitted to play.



16. That the City of Hamilton, through the Department of Culture and Recreation, extend an invitation to the Ontario Golf Association to host the 1986 Junior Men's Golf Championship at the Chedoke Beddoe Golf Course, 1986 July 29, 30, 31.
17. That the application by Drum Corps, International to host their 8th Annual Drum and Bugle Competition in Ivor Wynne Stadium on Saturday, 1986 July 26 at a rental rate of \$2,490 be approved subject to terms and conditions set down by the Director of Culture and Recreation in accordance with Schedule "B" of the Operational Regulations for use of the Ivor Wynne Stadium.

NOTE: The rental rate includes \$2 455 flat rate and \$35 rental fee -Green Room. In addition, the applicant will be charged for any actual labour charges incurred by the applicant for work to be carried out by Civic Staff over and above that which is normally undertaken.

18. For the information of the members of Council, the Parks and Recreation Committee appointed the following Alderman to the Subcommittees of the Parks and Recreation Committee:

<u>Subcommittee</u>	<u>Alderman Appointed</u>
(a) Crystal Palace Subcommittee	Alderman G. Copps
(b) Hamilton Historical Board	Alderman Wm. McCulloch Alderman R. Wheeler Alderman J. Smith
(c) Parks and Recreation Citizens Advisory Subcommittee	Alderman B. Hinkley Alderman J. Gallagher Alderman T. Murray
(d) Stadium Subcommittee	Alderman R. Wheeler Alderman J. Gallagher Alderman T. Murray
(e) Hamilton Veteran's Subcommittee	Alderman Wm. McCulloch
(f) Waterfront Parks Subcommittee	Alderman T. Cooke Alderman B. Hinkley Alderman G. Copps



19. That leave be granted to introduce the following bill:

Bill No. B-1 - By-law to Amend Cemeteries By-law No. 8861.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale, Secretary  
1985 November 3

HAMILTON MUNICIPAL CEMETERIES  
TARIFF OF CHARGES  
January 2, 1986  
(Cemeteries By-Law No. 8861)

Schedule "A" C121

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>OPENING</u>		
6 ft. adult, including dressing and device		
<u>Dressing</u> <u>Device</u> <u>Labour</u>		
\$28.00    \$23.00    \$225.00	276.00	322.00
8 ft. adult, including dressing and device.....	375.00	418.00
6 ft. child, including dressing and device; case up to 60".....	189.00	269.00
Including dressing only.....	166.00	246.00
Without dressing and device.....	138.00	218.00
6 ft. child, including dressing and device; case 61" to 72".....	209.00	304.00
Including dressing only.....	186.00	281.00
Without dressing and device.....	158.00	253.00
8 ft. child, including dressing and device; case up to 60".....	209.00	304.00
Including dressing only.....	186.00	281.00
Without dressing and device.....	158.00	253.00
8 ft. child, including dressing and device; case 61" to 72".....	233.00	339.00
Including dressing only.....	210.00	316.00
Without dressing and device.....	182.00	288.00
NOTE: Lowering device is not used if case is less than or equal to 42".		
Cremation.....	92.00	131.00
Tent.....	85.00	142.00
<u>Single Graves in a Row</u>		
6 ft. adult, including dressing and device		
(Grave 266.00, Burial 276.00).....	542.00	
(Grave 328.00, Burial 322.00).....		650.00
8 ft. adult, including dressing and device		
(Grave 266.00, Burial 375.00).....	641.00	
(Grave 328.00, Burial 418.00).....		746.00
Child, case up to 60" (opening charges not included)	64.00	82.00
Child, case 61" to 72" (opening charges not included)	94.00	124.00
Child Special - up to one month old		
(Grave 27.00; Burial 32.00).....	59.00	
(Grave 29.00; Burial 51.00).....		80.00
Welfare		
(Grave 193.00; Burial 276.00).....	469.00	
Veteran's Grave		
(Grave 253.00; Burial 276.00).....	529.00	
Opening Charges (New Crypts Only)		
Mansion of Memories (Stoney Creek Mausoleum)	227.00	268.00
Note: Thirty-five per cent of all lot sales goes into Perpetual Care.		

	Resident and Non-Resident Realty Taxpayers	Non-Residents
<u>LOWERING</u> (Opening charges not included)		
Adult		
From 6 ft. to 8 ft. - shell.....	190.00	287.00
From 6 ft. to 8 ft. - steel vault.....	368.00	553.00
From 6 ft. to 8 ft. - concrete vault or crypt.....	441.00	661.00
Child		
From 6 ft. to 8 ft. - 5 to 10 years.....	131.00	195.00
From 6 ft. to 8 ft. - under 5 years.....	63.00	93.00
<u>REMOVALS</u>		
Adult		
From one lot to another (opening charges not included)		
Shell.....	657.00	985.00
Concrete vault or crypt.....	813.00	1,217.00
Child		
From one lot to another (opening charges not included)		
Shell.....	237.00	368.00
Concrete vault or crypt.....	254.00	375.00
Cremation.....	92.00	131.00
<u>ADDITIONAL SERVICES</u>		
Tent in Cemetery.....	85.00	142.00
Rental tent outside cemetery.....	124.00	181.00
Rental of dressing for use outside cemetery	98.00	153.00
Rental of lowering device outside cemetery.	98.00	153.00
<u>PLANTING</u>		
Preparing ground and planting flowers per . grave.....	27.00	
Preparing ground and planting one shrub per grave.....	35.00	
Note: Flowers and shrubs are to be provided by the family at their expense.		
<u>SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE</u>		
Adult Single Grave		
Where location may not be selected, but is allotted in sequence in the row and may not be purchased in advance of need.....	266.00	328.00
Child Single Grave		
Case up to 60".....	64.00	82.00
Case 61" to 72".....	94.00	124.00
Preferred Single Grave		
Where location may be selected and purchased in advance of need.....	444.00	550.00
Urn Garden.....	148.00	181.00
Veteran's Grave.....	253.00	
Welfare Grave.....	193.00	
Two Grave Lot.....	1,020.00	1,271.00
Two Grave Lot - Eastlawn, Sections 15, 16 & 17 (6 ft. burials only.....)	833.00	1,039.00

Resident and Non-Resident Realty Taxpayers	Non-Residents
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SALE OF LOTS AND GRAVES INCLUDING PERPETUAL CARE  
Continued...

Three Grave Lot - Woodland.....	1,523.00	1,906.00
Four Grave Lot - Woodland Sections 21, 22 & 23 and - Eastlawn Section 19.....	1,996.00	2,538.00
Four Grave Lot - Trinity.....	1,876.00	2,381.00
Four Grave Lot - Woodland Section 15.....	3,688.00	4,607.00
Mansion of Memories - Mausoleum Crypt.....	710.00	781.00
Child Special.....	27.00	29.00
WOODEN SHELLS - Surcharge.....	130.00	130.00
CRYPTS - Oversize.....	190.00	
Intermediata.....	180.00	
Standard.....	175.00	
Youth.....	170.00	

NOTE: Thirty-five per cent of all lot sales goes into Perpetual Care.  
Total surcharge on wooden shells and caskets goes into Perpetual Care.

FOUNDATION AND MARKER - REGULATIONS

Preferred Singles

Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row

A flat marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section

Only a flat marker 12" in length, and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length and 14" in width is permitted.

Two Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2".  
Maximum width must not exceed 1'2". All bases must be at least 6" in height.  
The total over-all height of any memorial must not exceed 4'. All memorial  
bases must have a projection of at least 3" from the edge of the die or cross  
on all sides.

Three and Four Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to  
be governed by base size for appearance and balance. All memorial bases must  
have a projection of at least 3" from the edge of the die or cross on all sides.

NOTE: These regulations have been included as they often determine the choice of lot  
or grave.

Transfer Fee	\$ 3.00
Research	17.00
Total	\$20.00



Resident and Non-Resident Realty Taxpayers	Non-Residents
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FOUNDATIONS AND MARKERS

For construction of foundation six feet deep for upright monument - per square inch of surface	.63	.94
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For setting a flat marker (not larger than 18" wide, 24" long). Thickness 4" minimum and 8" maximum.....	77.00	118.00
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D.V.A. Upright.....	65.00	
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D.V.A. Flat.....	65.00	
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Bronze Vase.....	77.00	118.00
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Welfare Marker - \$54.00 Plus \$18.00 into Perpetual Care.....	103.00	103.00
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Veteran's Upright Crosses.....	No charge	
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Preferred Singles

Only a flat marker 24" in length, 18" in width and 4" in thickness is permitted.

Single Graves in a Row

A flat granite marker 24" in length, 18" in width and 4" in thickness is permitted, or smaller.

Urn Garden Section

Only a flat marker 12" in length, and 10" in width is permitted.

Children's Section

Only a flat marker 18" in length, and 14" in width is permitted.

Two Grave Lot Section

Upright monument is allowed, maximum length of base must not exceed 3'2". Maximum width must not exceed 1'2". All bases must be at least 6" in height. The total over-all height of any memorial must not exceed 4'. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

Three and Four Grave Lot Section

Maximum base area not to exceed 10% of lot area. Total over-all height to be governed by base size for appearance and balance. All memorial bases must have a projection of at least 3" from the edge of the die or cross on all sides.

GOLF MEMBERSHIP RATESCHEDOKE

	<u>Existing '85</u>		<u>Proposed '86</u>	
	<u>Full Season/Partial Season</u>		<u>Full Season/Partial Season</u>	
<b>Mens:</b>				
Resident	230.	100.	245.	105.
Non-Resident	300.	130.	315.	135.
<b>Ladies:</b>				
Resident	230.	100.	245.	105.
Non-Resident	300.	130.	315.	135.
<b>Couples:</b>				
Resident	400.	175.	420.	185.
Non-Resident	520.	220.	545.	235.
<b>Pensioners/Senior Citizens</b>				
Resident	110.	45.	115.	47.
Non-Resident	145.	60.	150.	65.
<b>Juniors:</b>				
Resident	100.	45.	105.	47.
Non-Resident	135.	60.	140.	65.
<b>Intermediate:</b>				
Resident	150.	65.	155.	70.
Non-Resident	190.	80.	195.	85.
<b>Dependent:</b>				
Resident	70.	30.	75.	33.
Non-Resident	100.	40.	105.	43.

- Fees reflect an approximate 5% increase.

KING'S FOREST

	<u>Existing '85</u>		<u>Proposed '86</u>	
	<u>Full Season/Partial Season</u>		<u>Full Season/Partial Season</u>	
<b>Mens:</b>				
Resident	280.	120.	295.	125.
Non-Resident	365.	155.	380.	160.
<b>Ladies:</b>				
Resident	270	110.	285.	115.
Non-Resident	355.	140.	370.	145.
<b>Couples:</b>				
Resident	500.	215.	525.	225.
Non-Resident	650.	275.	675.	285.
<b>Pensioners/Senior Citizens</b>				
Resident	130.	55.	135.	57.
Non-Resident	170	70.	175.	75.
<b>Junior:</b>				
Resident	140.	70.	145.	75.
Non-Resident	180	85.	185.	90.
<b>Intermediate:</b>				
Resident	180.	80.	185.	85.
Non-Resident	230.	95.	240.	100.
<b>Dependent:</b>				
Resident	70.	30.	75.	33.
Non-Resident	100.	40.	105.	43.

- Fees reflect an approximate 5% increase







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its FIRST Report for 1986 and respectfully recommends:

1. A. (a) That approval be given to the proposed draft plan of subdivision, Application SA-85-13, Dydzak Drive-In Theatres Limited, owners, located on the south side of Stone Church Road West, west of Courtland Avenue, subject to the following conditions:
  - 1) That this approval apply to the revised plan dated August 1, 1985, prepared by Sidney W. Woods, Inc., showing 96 lots and a block for widening Stone Church Road West, further revised to show minor changes to the street pattern as shown in red on the approved copies of the draft plan.
  - 2) That the road allowances and widening for Stone Church Road West be dedicated as public highways on the final plan.
  - 3) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - 4) That the final plan conform with the zoning by-law approved under The Planning Act.
  - 5) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - 6) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - 7) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  - 8) That the dead end of the road allowance created by the plan be terminated in a 0.3 m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

9. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  - (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-13), Dydzak Drive-In Theatres Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- B. That approval be given to Zoning Application 85-55, Dydzak Drive-In Theatres Limited, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for lands located on the south side of Stone Church Road West and west of Courtland Avenue, as shown on the attached map marked as Appendix "A" on the following basis:
- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District.
  - ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-27C.
  - iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
  - iv) That the Falkirk East Neighbourhood Plan be amended by redesignating the "Attached Housing" block to a "Single and Double" residential designation, and changes to the street pattern in compliance with the recommended draft plan of subdivision.

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located on the south side of Stone Church Road West and west of Courtland Avenue, as shown on the attached map marked as Appendix "A".

The effect of the By-law is to permit single-family development on the subject lands.

2. 1. That approval be given to Zoning Application ZA 85-78, Ferrell Builders Supply Limited, owner for a modification to the "M-12" (Prestige Industrial) District and "M-14" (Prestige Industrial) District regulations applicable to property located at No. 1543 and No. 1549 Rymal Road East as shown on the attached plan marked as Appendix "B" on the following basis:

i) That the "M-12" (Prestige Industrial) District and "M-14" (Prestige Industrial) District provisions as contained in Section 17D and Section 17F respectively of Zoning By-law 6593 be modified to include the following variances as special requirements:

a) That notwithstanding Table 4 as identified in Section 17 (D)(1)(b) and Section 17 (F)(1)(a) of Zoning By-law 6593, the following uses shall be permitted to have an ancillary retail sales area not exceeding 25% of the gross floor area of the building."

- i) Hardware, Wholesale (SIC 5621)
- ii) Plumbing, Heating and Air Conditioning, Equipment and Supplies Wholesale (SIC 5622)
- iii) Lumber, Plywood, and Millwork, Wholesale (SIC 5631)
- iv) Paint, Glass, and Wallpaper, Wholesale (SIC 5632)
- v) Other Building Materials, Wholesale (SIC 5639)

b) That notwithstanding Section 17(F)(2)(h)(4) of By-law 6593 the total area used for storage outside of a building or structure shall not exceed 55% of the lot area subject to the following requirements:

- i) That the outside storage area shall be used exclusively for building supplies such as, but not limited to, sand, gravel, concrete blocks, bricks, lumber and equipment.



- ii) That no stockpile of building supplies located in the outside storage area shall exceed a height of 4m.
  - iii) That Section 18(3)(vi) shall not apply to the outside storage area.
  - c) That notwithstanding Section 17F(2)(h)(2) of Zoning By-law 6593 every side yard or rear yard that is used for outside storage of any material or any equipment shall be completely screened from external view by the erection and maintenance of a chain link fence not less than 1.5m. in height and not more than 3.0m in height and a planting strip having a minimum width of 1.2m along the side and rear lot lines adjacent to the outside storage area.
  - d) That Section 17(F)(2)(i) of Zoning By-law 6593 shall not apply.
  - ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-943, and that the subject lands on Zoning District Maps E-69D and E-69E be notated as S-943,
  - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Maps E-69D and E-69E; and,
  - iv) That the Mountain Industrial Area Plan be amended to designate the rear portion of the subject properties as "Restricted Industrial-Commercial."
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
2. That a Development Agreement to the satisfaction of the City Solicitor be entered into and registered on title.

#### EXPLANATORY NOTE

The purpose of the By-law is to modify the "M-12" (Prestige Industrial) District and "M-14" (Prestige Industrial) District provisions applicable to property located at No. 1543 and No. 1549 Rymal Road East as shown on the attached plan marked as APPENDIX "B".

The effect of the By-law is to permit an increase in the area of land to be used for outside storage for a retail/wholesale building materials supply business from not more than 5% of the lot area to not more than 55% of the lot area. Further the By-law would permit the retail sale of lumber and building materials in an area not exceeding 25% of the gross floor area of the building.

In addition the By-law provides for the following special requirements:

- a) The outside storage area shall be exclusively used for building supplies, such as sand, gravel, concrete blocks, bricks, lumber, and equipment.
- b) No stockpile of building supplies shall be higher than 4.0 m whereas there is presently no limitation on the maximum height.
- c) The outside storage area may be located in the required yards instead of having a minimum setback of 5.65m. from the side lot lines and 4.5m. from the rear lot line.
- d) The outside storage area shall be completely screened from external view by providing a 1.5m. to 3.0m. high chain link fence and 1.2m. wide planting strip along the side and rear lot lines.
- e) Outside storage and the erection of an industrial building shall be permitted within 90.0m. of land used solely for residential purposes.

3. That approval be given to Zoning Application 85-79 Vincent Patrick Colizza, owner, for a modification to the established "JJ" (Restricted Light Industrial) District regulations applicable to property located at the north-west corner of Barton Street East and Brockley Drive, as shown on the attached plan marked as Appendix "C", on the following basis:

- i) That the "JJ" (Restricted Light Industrial) District regulations as contained in Section 16A of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:

- a) That notwithstanding the provisions of Section 16A(1) of By-law No. 6593 the following commercial uses shall be permitted:
- i) Appliance, Television, Radio and Stereo Store.
  - ii) Paint, glass and wallpaper store.
  - iii) Offices of Chartered Accountant.
  - iv) Dentists, doctors and lawyers' offices.
  - v) Insurance and real estate agency.
  - vi) Bank
  - vii) Restaurant, restaurant licensed (including drive-ins).
  - viii) Take-out food services accessory to restaurant.
  - ix) Caterers.
  - x) Floor covering store.
  - xi) Drapery store
  - xii) Hardware store.
  - xiii) Dry cleaners distributors and/or agents for dry cleaners.
  - xiv) Auto parts store (new).
  - xv) Sporting goods store.
  - xvi) Appliance, television, radio and stereo repair shop.
  - xvii) Brewers warehouse.
  - xviii) Delicatessen.
  - xvix) Health laboratories.
  - xx) Bakery, including retail sales.
  - xxi) Pharmacy

xxii) Optician

xxiii) Photographer Studio

- ii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S, and that the subject lands on Zoning District Map E-123 be notated S-944.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-123.
- iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- v) That By-law No. 79-275 respecting Site Plan Control be amended by adding the subject lands to Schedule "A".

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a modification to the established "JJ" (Restricted Light Industrial) District regulations applicable to lands located at the north-west corner of Barton Street East and Brockley Drive, as shown on the attached plan marked as Appendix "C". The effect of the By-law is to permit, in addition to the permitted "JJ" industrial uses, a limited number of commercial uses.

- 4. (A) (a) That approval be given to Application SA-85-06, N. Augerinos and G. Patsios owners, to establish a draft plan of subdivision on the east side of Upper Paradise Road and south of the proposed Mountain Freeway, subject to the following conditions:
  - 1. That this approval apply to the plan prepared by A. J. Clarke & Associates, dated April 19, 1985, revised to show 14 lots, one block for a road widening and a daylight triangle.
  - 2. That the road allowance and the widening for Upper Paradise Road be dedicated as public highways on the final plan.
  - 3. That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.



4. That the proposed subdivision conform with the Zoning By-law approved under the Planning Act.
  5. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  6. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  8. That the owner acquire lands to establish Greenshire Drive for a full width of 20.0m.
  9. That no final approval be given to this plan prior to the registration of "Gilkson Woods Addition Phase 4," (Regional File No. 25T-83016).
  10. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
  11. That the owner satisfy the requirements of the Ministry of the Environment in regard to possible excessive noise.
  - (b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-06), N. Augerinos and G. Patsios, owners, Stone Church Holdings Limited, owner, proposed draft of plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- B. That approval be given to Zoning Application 85-81, Nicholas Augerinos, owner, requesting a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District, for property located at No. 733 Upper Paradise Road, as shown on the attached plan marked as APPENDIX "D", on the following basis:
- i) That the subject lands be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

- ii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W-27B; and,
- iii) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District for property located at No. 733 Upper Paradise Road, as shown on the attached Map.

The effect of the By-law is to permit the subdivision of the property into fourteen single-family dwelling building lots.

5. That Zoning Application 85-77, Novlet and Anthony Hural, owners, requesting a modification to the established "D" (Urban Protected Residential - One and Two-Family Dwelling etc.) District, for property located at No. 21 Holton Avenue South, to permit the existing six dwelling units instead of a maximum of four dwelling units be denied for the following reasons:

- 1. The proposal conflicts with the intent of the approved Gibson Neighbourhood Plan which designates the subject property as "single, double, and attached housing."
- 2. The proposal is out of character with the surrounding area which is occupied primarily by one and two-family dwellings and represents an over intensification of land use.
- 3. Establishment of 8 parking spaces as required under the by-law would result in the loss of outdoor amenity space for use by residents of the building.
- 4. It would establish a precedent and could thereby set the stage for future similar applications in this area.

6. That Zoning Application ZA-85-80 by Steel City Chrysler Plymouth Limited, Lessee, for a modification to the established "H" (Community Shopping and Commercial, etc.) District regulations applicable to property located at No. 1600 Main Street East, to permit an auto body/fender repair shop and spray painting shop in the existing building, in conjunction with the existing new and used car dealership, be denied for the following reason:

It is considered that the proposed use would be incompatible with residential development in the surrounding area.

7. a) That approval be given to Official Plan Amendment No. 33 (See Appendix "E" attached).
- b) That the City Solicitor be directed to prepare a By-law to adopt the Amendment in (a) for submission to the Minister of Municipal Affairs for final approval.

#### EXPLANATORY NOTE

Official Plan Amendment No. 33 will implement Council's decision of September 10, 1985 when it agreed to acquire 22 Veevers Drive for a Horticultural/Historical Resource Centre.

8. i) That the City of Hamilton has no objection to the approval of the proposed Stoney Creek Official Plan by the Minister of Municipal Affairs; and,
- ii) That the City Clerk be directed to advise the Ministry of Municipal Affairs regarding i) above.

#### EXPLANATORY NOTE

The Ministry of Municipal Affairs has requested the City to comment on the proposed Stoney Creek Official Plan. The purpose of the plan is to:

- a) establish the long-term planning intentions of the City of Stoney Creek; and,
- b) outline the procedures for implementing municipal planning objective.

A review of the proposed Plan has revealed that its approval would not undermine the planning intentions of the City of Hamilton.



9. Approval of the awarding of the following Contract.

Caribbean Builders Ltd., Hamilton, Ontario

Supply all labour, material and equipment necessary for the support structure for the Birk's Clock at the corner of King and James Streets., Hamilton, in accordance with drawing and specifications prepared by Howard Mark, Architect and quotation dated September 26th, 1985 for the total sum of \$28,800.00, including all Federal and Provincial Sales Taxes and all other charges.

Note: Lower of two quotations. Funds provided in account 0408 - A55175.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following; the Mayor, the appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

10. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

- a) 643-645 Barton Street East
- b) 9 Beatty Avenue
- c) 687 StoneChurch Road West
- d) 693 StoneChurch Road West
- e) 304 Victoria Avenue North
- f) 306 Victoria Avenue North
- g) 310 Victoria Avenue North
- h) 312 Victoria Avenue North
- i) 316 Victoria Avenue North
- j) 318 Victoria Avenue North
- k) 91 Catharine Street North
- l) 586 Stonechurch Road East
- m) 1190 Barton Street East

11. That the City Solicitor be authorized and directed to prepare a By-law to rescind By-law No.85-136 dated July 30, 1985, passed by City Council, which was for the enforcement of an Order dated April 3, 1985 for the demolition of the buildings and removal of the demolition debris and level the lands at 323 - 325 Wentworth Street North pursuant to Section 31(7) of the Planning Act 1983 as the Order dated April 3, 1985 has been satisfied.



12. That the City Solicitor be authorized and directed to prepare a By-law to rescind By-law No. 85-147 dated July 30, 1985, passed by City Council, which was for the enforcement of an Order dated November 15, 1983 for the demolition of the building and removal of the demolition debris and level the lands at 257 Barton Street West pursuant to Section 31(7) of the Planning Act 1983 as the Order dated November 15, 1983 has been satisfied.
13. That the City Solicitor be authorized and directed to prepare a By-law for the repairs and demolition of the property at 378 Emerald Street North as required on the Order dated February 3, 1983 and issued pursuant to Section 43(7) of the Planning Act R.S.O. 1980, Chapter 379, and registered in the Land Registry Office on March 22, 1983 as Instrument Number 239752 C.D.
14. That the Department of Community Development be authorized to process grants and or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)
- That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

- |                                    |                                      |
|------------------------------------|--------------------------------------|
| 1. I. Kelley<br>154 McAnulty Blvd. | 2. R. Summerhayes<br>79 Royal Avenue |
| 3. L. Pretsell<br>649 Dunn Ave.,   | 4. W. Mugford<br>140 East 44th St.,  |
| 5. V. Duncan<br>147 East 34th St.  | 6. A. Cross<br>82 Allison Cres.      |
| 7. S. MacKinnon<br>152 Avondale    | 8. A. Coffee<br>26 Goldfinch Ave     |
| 9. A. Garcia<br>76 Murray W.       | 10. L. Fennema<br>39 Lister Ave.     |

- |     |                                    |     |                                |
|-----|------------------------------------|-----|--------------------------------|
| 11. | V. Cosentino<br>71 Strachan E.     | 12. | E. Caskie<br>295 Keswick Crt., |
| 13. | C. Moore<br>105 West 25th St.      | 14. | K. Walker<br>156 Barnesdale N. |
| 15. | J. Ryan<br>643 Fennell E.          | 16. | E. Hallock<br>903 Garth St.    |
| 17. | E. Baughan<br>874 Upper Wellington | 18. | W. Hayes<br>291 West 5th       |
| 19. | M. Popp<br>832 Queensdale Ave E.   |     |                                |

#### Hamilton Rehabilitation Programme

- |    |                          |    |                          |
|----|--------------------------|----|--------------------------|
| 1. | J. Risk<br>115 East 21st | 2. | E. Torres<br>105 Rothsay |
|----|--------------------------|----|--------------------------|
15. a) That a grant and repayable loan in the amount of five thousand dollars, (\$5,000.00) be approved for Mr. Wallace Mugford, 140 East 44th Street for the adaptation of his home for his handicap.
- b) That subject to approval, the Lien be registered on Title indicating that a forgivable grant in the amount of two thousand, five hundred dollars, (2,500.00) be earned over a five (5) year period, and the balance of two thousand, five hundred dollars (2,500.00) be repaid to the Corporation of the City of Hamilton at the time of the sale of the property. The interest rate on the repayable portion will be zero present.
16. That the Department of Community Development be authorized and directed to process the following Designated Property Grants:
- a) Ms. M. Maloney, 172 Hess Street North, Hamilton, in the amount of \$2,000.00.
- b) Mr. J. R. Grant, 250 James Street South, Hamilton, in the amount of \$2,000.00.
- c) Mr. & Mrs. Mark Ewen, 28 South Street, in the amount of \$2,000.00
17. a) That an additional ten thousand dollars (10,000.) be allocated to the Multi-Service Centre at Roxborough Park Presbyterian Church and Manse/St. Helen's School.
- b) That the additional sum be charged to O.N.I.P account 04-M8101-5.

c) That the Mayor and City Clerk be authorized to execute the following agreements, satisfactory to the City Solicitor.

i) Agreement with the Hamilton-Wentworth Roman Catholic Separate School Board whereby the City grants \$20,000. to renovate St. Helen's Separate School for provision of services to the frail elderly. The Board agrees to provide and arrange for the provision of such services for a period of ten (10) years, and if it does not provide such services for the full ten (10) year period, will repay to the City a prorated amount of the grant based on the outstanding period, and

ii) Forgivable mortgage on Roxborough Park Presbyterian Church between the City and the Trustees of the Church whereby the City agrees to loan the maximum amount of \$110,000., to the Trustees to renovate and alter the Church in an estimated amount of \$83,000., and the manse in an estimates amount of \$27,000., and the Trustees agree to provide and arrange for the provision of various community services for a period of ten (10) years. The mortgage to be forgiven on a daily rate basis during the time such services are provided, calculated over the ten (10) year period. The entirety of the sum of one hundred and nine thousand dollars (\$109,000.) is to be secured on the Church and not the manse which is under different ownership.

18. a) That the closing date for the sale of Parts 1 and 2 on Plan 62R-6932, Keefer Court to 596231 Ontario Limited be extended from September 26th, 1985 to January 30th, 1986.

b) That the deposit be increased from \$2,000.00 to \$5,800.00 by October 31st, 1985.

19. That an Offer to Purchase the lands of The Corporation of the City of Hamilton at 110 Hempstead Drive duly executed on October 13, 1985, by the Purchaser, Mr. Kieran Begadon and scheduled for closing on February 21st, 1986, be completed.

Note: The property is composed of a parcel of land located on the southern limit of Hempstead Drive having a frontage of 150 feet by a depth of 167.36 feet/162.16 feet, more or less, and containing an area of .5671 acres, more or less, more particularly described as Lot 22 on Plan M-227.



The purchase price is \$27,500.00. A deposit cheque in the amount of \$2,750.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Royal Lepage Real Estate Limited whose agent, Mr. Hugh D. Henderson, acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the attached pages marked as APPENDIX "F" attached.

20.

That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on October 30th, 1985 by the Purchasers, William Edgar Wilson, Hinz J. Kopman, and Andrew M. Rees and scheduled for closing on February 28th, 1986 be completed.

**Note:** The property is composed of a parcel of land located on the south side of Burlington Street East, having a frontage of 41.453 m (136 feet) more or less by a depth of 54.468m/54.026m (178.7 feet/177.25 feet) more or less and containing an area of 2249m<sup>2</sup> (.5557 acres) more or less and more particularly described as all of Parts 98-111 and all of Part 112 being Keele Street on Plan 62R-6161.

The purchase price is \$55,290.00. A deposit cheque in the amount of \$5,529.00 is being held by the City Treasurer pending Council approval.

It is understood and agreed that the Vendor upon completion of this transaction will pay 6% real estate commission to Royal LePage whose agent, Mr. William Downing, acted in this matter.

This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto, and marked as APPENDIX "G".

The closing of this transaction is conditional upon:

- a) The passing and registration of a by-law to stop-up, close and authorize the sale of that portion of the herein land known as Keele Street, namely Part 112, 62R-6161 to the herein



purchaser, at the sum of \$26,892.00 which is a portion of the herein full sale price of \$55,290.00.

the approval of the Regional Municipality of Hamilton-Wentworth to the passage of the said by-law, and

- b) the purchaser being able to arrange satisfactory financing for the project,
- c) the Vendor shall provide at its own expense a zoning verification certificate prior to the closing date that indicates the Purchaser's use as a Masonry Contractor is allowed on the subject site.

In the event the conditions are not fulfilled or waived in writing by the Purchaser, prior to the date of closing of this transaction, this Agreement may be terminated by the Purchaser and if terminated by the Purchaser this Agreement shall be null and void and the deposit shall be returned to the Purchaser without interest or deduction for cancellation and neither party shall be liable for any damages or costs. Said conditions are inserted for the benefit of the Vendor and the Purchaser.

21. That an Option to Purchase the property at 410 Birch Avenue from Marie Fundak, In Trust, duly executed on November 23rd, 1985 and scheduled to close on February 6th, 1986 for the sum of \$78,220.00 be approved and completed.

The irregular shaped property has a frontage of 66 feet (more or less) on the southern limit of Birch Avenue and contains an area of .4922 acres (more or less) together with all structures erected thereon bearing the municipal address of 410 Birch Avenue.

A \$1.00 deposit has been paid by the City to the Vendor.

It is understood and agreed that upon accepting this Option, the City shall pay the owner a further deposit in the amount of \$2,000.00 which shall be held by the Owner pending completion of this transaction and to be applied to the purchase price herein. The Owner agrees to refund this further deposit to the Purchaser without interest in the event that this transaction is not completed on the closing date for any reason.

The subject property is being purchased to clear residential enclaves in industrial areas, and the cost of this acquisition is to be charged to account 0280-35 (Reserve for Alpha Enclave).

22. That an Offer to Purchase the lands of the Corporation of the City of Hamilton, duly executed on November 28th, 1985, by the Purchaser, Douglas Ross Baxter, President of Ross' Reefer Services Inc. and scheduled for closing on January 31st, 1986 in the total amount of \$30,000.00 be approved and completed.

Note:

This Offer to Purchase is conditional on the following terms:

1. (a) This agreement may be terminated by the Purchaser if unable to obtain a first mortgage of up to \$200,000.00 with interest at 11-3/4% or less calculated on a 25 year amortization plan for a five-year term or less, and the Purchaser has not received the final advance on or before closing.
- (b) Site Plan approval by the City of Hamilton on or before the 16th day of January, 1986.
- (c) The Vendor will install and pay for or cause to be installed and pay for the provision of municipal water supply, and sanitary sewers, and such services are to be fully installed and operating by May 1, 1986, the failure of which will result in the Vendor being fully liable for any and all claims, damages, etc. of the Purchaser and that this provision shall not merge with the closing of this transaction but shall continue in full force and effect for the benefit of the Purchaser, his successors or his assignee. Hydro services will be made available and operating to the subject lands by May 1, 1986. The Purchaser acknowledges that storm sewers will not be installed.
- (d) The purchaser relies on the following reports given to him by the Vendor:
  - i) the geotechnical investigation: Proposed Keefer Court, Industrial Subdivision, Hamilton, Ontario, dated March 1982 by Peto MacCallum Ltd., Consulting Engineers.

- ii) the supplementary geotechnical investigation, Lot 8, Keefer Court, Hamilton, Ontario, October 1985, by Peto MacCallum Ltd., Consulting Engineers.
- iii) the opinion of C. C. Parker Consultants Limited, dated October 14, 1985, entitled: "Keefer Court Subdivision, Part 8."

and that such reliance on these reports shall not merge with the closing of this transaction but shall continue in full force and effect to the benefit of the Purchaser, his successors or his assignee, and that the Vendor covenants that it will be liable for any and all damages, claims, etc., of the Purchaser arising out of the reliance of the Purchaser on these reports provided to the Purchaser by the Vendor.

- e) Nothing in this agreement shall operate to prevent the Purchaser from reselling or assigning (subject to paragraph 8) after the date of closing save and except the Purchaser satisfying the covenants contained in paragraphs 9, (a), (b), (c).
2. All conditions contained herein are for the benefit of the Purchaser and may be waived by him in his sole and absolute discretion.
3. This Agreement may only be assigned by the Purchaser to a corporation to be incorporated by him. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein or the subsequent corporation shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a third party, except as noted above.

The purchase price is \$30,000.00. A deposit cheque in the amount of \$3,000.00 is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located on the northern limit of Goderich Road having a frontage of 46m (150.9 feet) by a depth of 89.992m (295.24 feet) and containing an area of 4,139.6m<sup>2</sup> (1.023 acres), more particularly described as Parts 7 and 8 on Reference Plan 62R-7820.



This transaction includes special building covenants, agreements and restrictions which are set out on the pages attached hereto and marked as Appendix "H".

23. A. That the Corporation of the City of Hamilton accept the sum of \$5,895.69 as cash payment towards 2/9ths. of the required 5% parkland dedication and that 537.14m<sup>2</sup> be deducted from Robert Shelley Construction Limited's parkland credit balance as the remaining 7/9ths. of the required 5% Parkland Dedication for "Randall Estates - Phase "4" final plan of subdivision.

Note: These lands are located to the east of Upper Gage Avenue and to the north of Stone Church Road East in the Randall Neighbourhood, City of Hamilton.

- B. 1. That Item 21 of the Planning and Development Committee Report 16-83 as adopted by City Council on July 26, 1983, be rescinded;
2. That the Corporation of the City of Hamilton accept the sum of \$12,303.87 as cash payment in lieu of 5% Parkland dedication in connection with "Quincy Court," final plan of subdivision

Note: These lands are located north of Stone Church Road East and west of Rochelle Avenue in the Quinndale Neighbourhood, Hamilton.

- C. 1. Item 18, Planning and Development Committee Report 27-85, as approved by City Council on October 29, 1985, be rescinded; and
2. The City of Hamilton accept the sum of \$17,413.38 from Spallacci Construction as the cash payment towards the 5% parkland requirement for Lot 1 to 28 (inclusive), and that 927.69m<sup>2</sup> be deducted from Mohawk Paradise Development Limited's parkland credit balance as the 5% requirement for Block's 29 and 30 in "Chateau Estates - Phase 2" plan of subdivision.

Note: These lands are located to the south of Mohawk Road and to the west of Magnolia Drive in the Fessenden neighbourhood, City of Hamilton.

24. Approval of an increase in the cost of consulting fees to Trevor Garwood Jones, Architects for the Pedestrian Bridge over King Street West in the total amount of \$48,410.88.



Note: Funds are available in the Appropriation Account No. 0408-K2 258 to cover these fees.

25. That permission be granted to International Harvester Canada Ltd., to locate a satellite receiving dish on the Plaza in front of Hamilton Place, on January 6 and 7, 1986 subject to provision of liability insurance satisfactory to the City Solicitor, and to payment of any charges for clean-up, should that be required.
26.
  1. That approval be given to revise the material of the Birks Clock support to granite rather than tempered mirror glass.
  2. That a change in the purchase order to Carribbean Builders Inc., be authorized in the amount of \$15,000.00 to cover the cost of this revision.
  3. That the Finance Committee be requested to recommend the method of financing this expenditure.
  4. That, in the event a satisfactory agreement cannot be negotiated with Carribbran Builders Inc., the work for the support structure be retendered.
27. That the City accept the six month option on the Bank of Montreal Building - 52 James Street South as presented by Dover Park Development Corporation Ltd., in a letter dated 1985 November 25.

**Explanatory Note:**

Dover Park Development have agreed to prepare the necessary legal documentation to exercise this option. This six month option will be at no cost to the City and preferably dating from the time the final documents are signed

28. That leave be granted to introduce the following Bills:

Bill C-123	By-law to define as a Heritage Conservation District the Area Comprised of the Area Bounded by MacNab Street South, Bold Street, Charles Street and Hurst Place.
Bill C-124	By-law to Amend Zoning By-law 6593 Respecting Land Located at Municipal Nos. 304 to 318 Victoria Avenue North.

- Bill C-125 By-law to Establish Site Plan Control  
Respecting Land Located at Municipal  
Nos. 304 to 318 Victoria Avenue  
North.
- Bill C-126 By-law to Designate the Property  
Located at Municipal No. 207 Caroline  
Street South as Property of Historic  
and Architectural Value and Interest.
- Bill C-127 By-law to Designate the Property  
Located at Municipal No. 209 Caroline  
Street South as Property of Historic  
and Architectural Value and Interest.
- Bill C-128 By-law to Designate the Property  
Located at Municipal No. 211 Caroline  
Street South as Property of Historic  
and Architectural Value and Interest.
- Bill C-129 By-law to Designate the Property  
located as Municipal No. 455 Bay  
Street North as Property of Historic  
and Architectural Value and Interest.
- Bill C-130 By-law to Designate the Property  
located at Municipal No. 469 Bay  
Street North, as Property of Historic  
and Architectural Value and Interest.
- Bill C-131 By-law to Designate the Property  
located at Municipal No. 126 James  
Street South as Property of Historic  
and Architectural Value and Interest.
- Bill C-132 By-law to Designate the Property  
Located at Municipal No. 158 James  
Street South as Property of Historic  
and Architectural Value and Interest.
- Bill C-133 By-law to Designate the Property  
located at Municipal No. 188 Markland  
Street as Property of Historic and  
Architectural Value and Interest.
- Bill C-134 By-law to Designate the Property  
located at Municipal No. 28 South  
Street as Property of Historic and  
Architectural Value and Interest.
- Bill C-135 By-law to Amend Zoning By-law No. 6593  
Respecting Land located within the  
Stoney Creek Ravine in the Area  
generally bounded by Barton Street  
East on the North, the City Limits on

the South, Bow Valley Drive on the East and Lake Avenue North on the West.

- Bill C-136 By-law to Amend By-law No. 84-30 Respecting the Designation of "The Hamilton Pumping Station (1860)."
- Bill C-137 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 1254 Upper Gage Avenue.
- Bill C-138 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 920 Concession Street.
- Bill C-139 By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the South Side of Rymal Road East, East and West of the Proposed Extension of Upper Gage Avenue
- Bill C-140 By-law to Amend Zoning By-law No. 6593 Respecting Lands Located on the West Side of the Proposed Extension of Upper Kenilworth Avenue, in the Area South of Limeridge Road East.
- Bill C-141 By-law to Designate an Improvement Area Generally Covering King Street West between the Area of the Intersection of Cline Avenue and King Street West and Extending to an Area West of Newton Avenue and Sterling Street.
- Bill C-142 By-law to Designate an Improvement Area Generally Covering Ottawa Street North Between Main Street East and Extending to an Area North of Barton Street East.
- Bill C-143 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 350 Quigley Road.
- Bill C-144 By-law to Adopt Official Plan Amendment No. 33 Respecting Lands Located at the Intersection of Veevers Drive and Ambrose Avenue in the Vincent Neighbourhood and Known Municipally as 22 Veevers Drive.

Bill C-145

By-law to Authorize the Repair of Buildings (Dwelling) and Demolition of Garage located at 378 Emerald Street North.

Bill C-146

By-law to Amend Zoning By-law No. 6593 Respecting Lands Located at the South-East Corner of Upper Sherman Avenue and Limeridge Road East.

Bill C-147

By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the West Side of Leggett Crescent and South of Limeridge Road East.

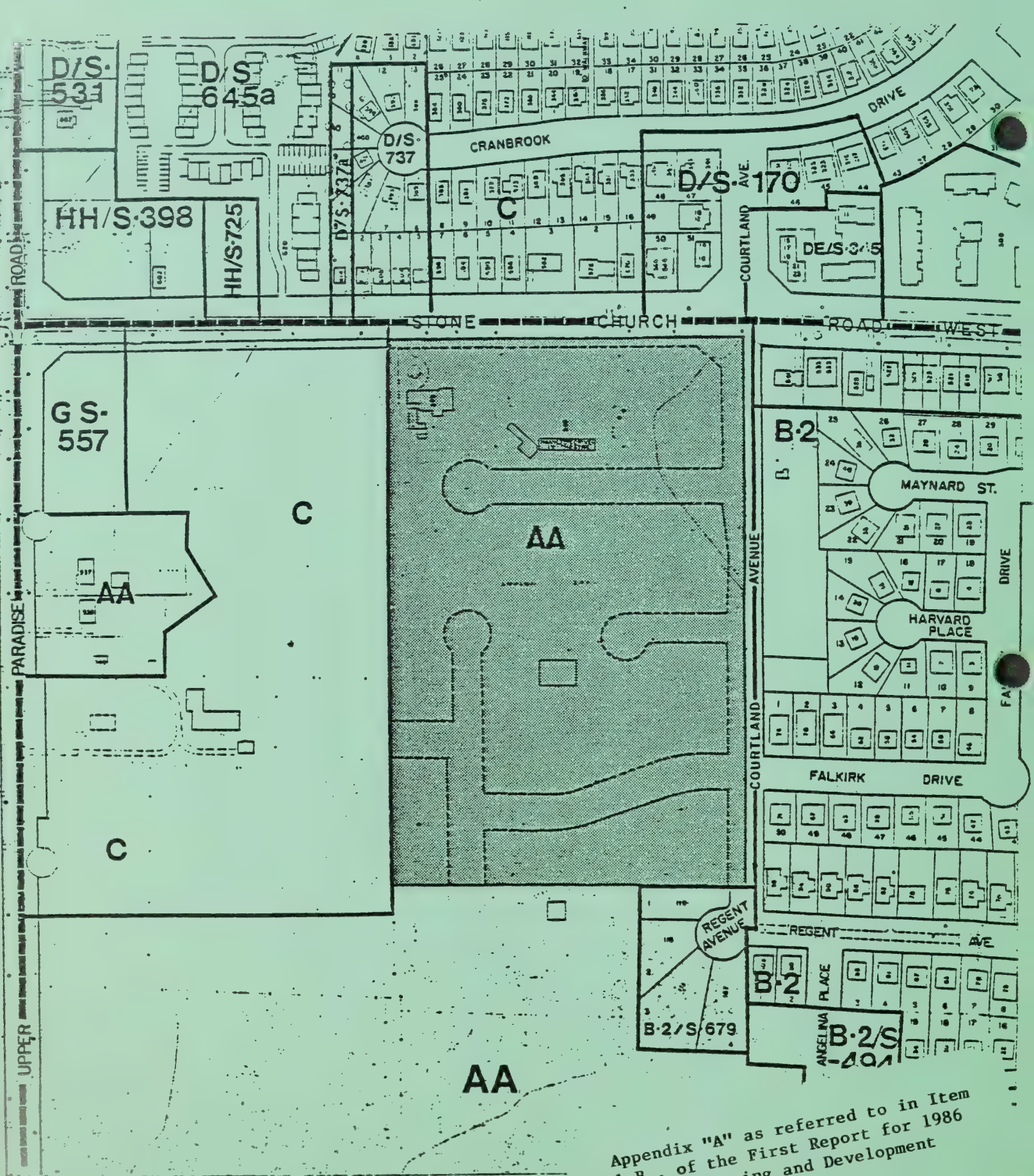
Respectfully submitted,

Alderman John Smith, Chairman  
Planning and Development Committee

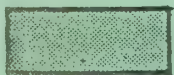
John D. Thompson, Secretary  
Planning and Development Committee  
1985 December 4

JDT:tb





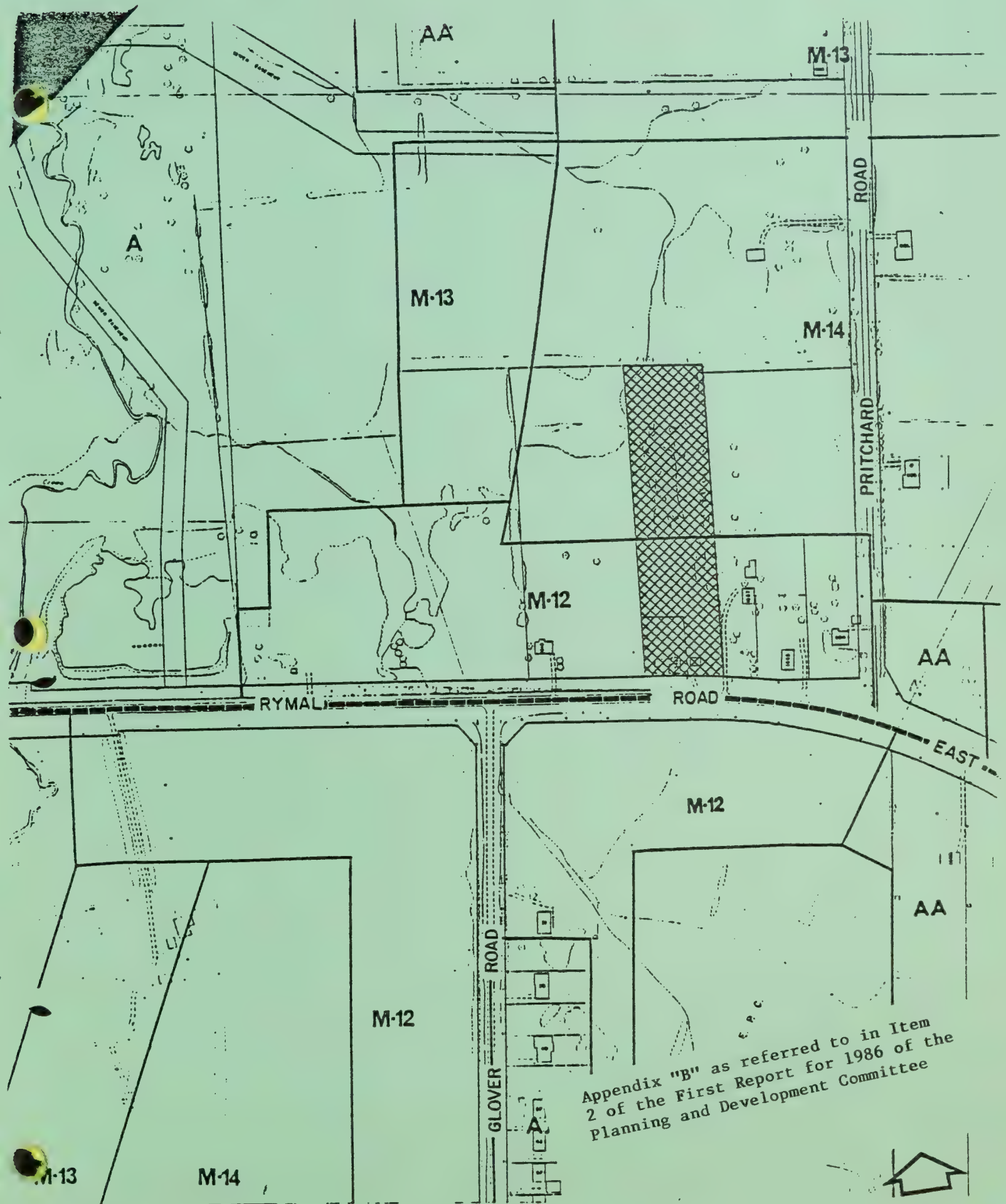
LEGEND:



SITE OF THE APPLICATION

Appendix "A" as referred to in Item  
1 B., of the First Report for 1986  
of the Planning and Development  
Committee



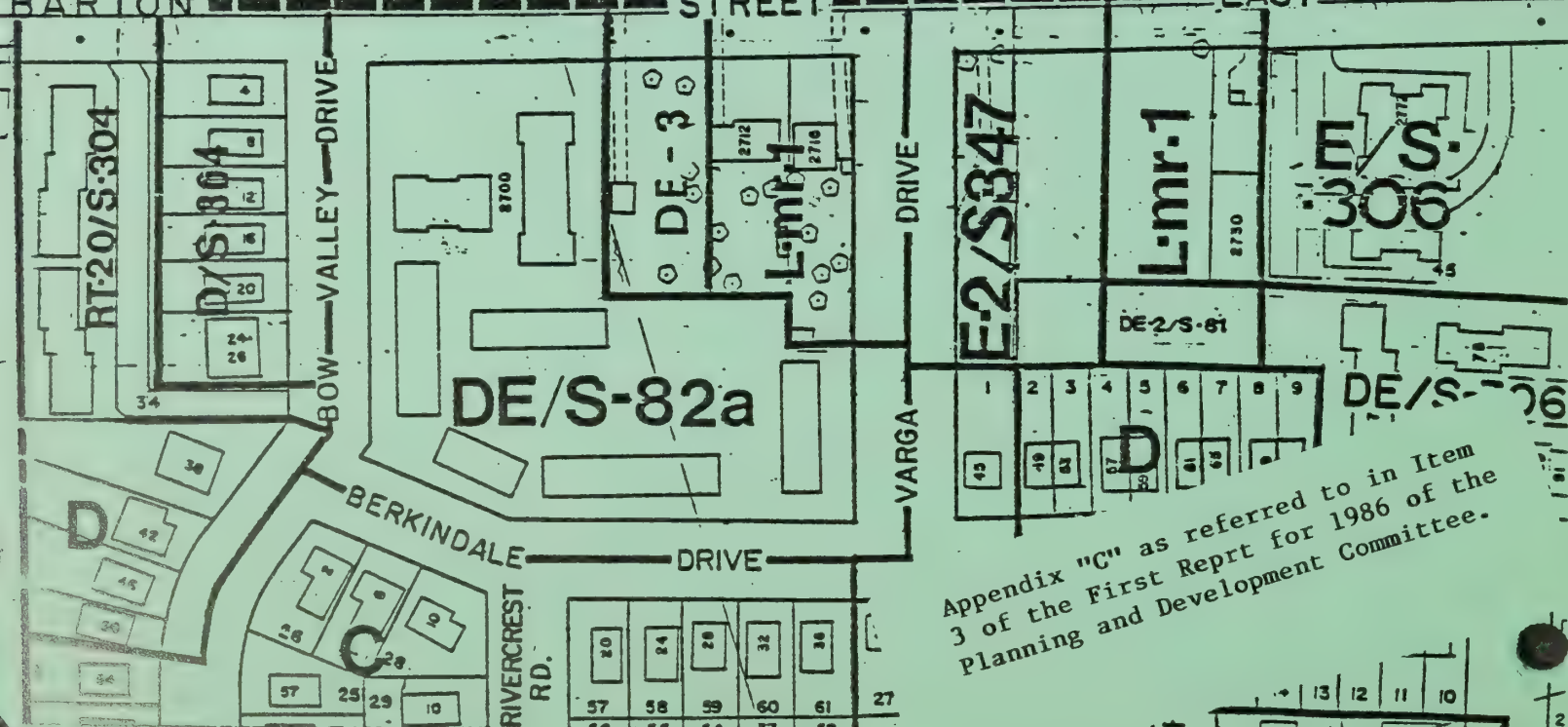


SITE OF THE APPLICATION





BARTON STREET EAST



Appendix "C" as referred to in Item 3 of the First Reprt for 1986 of the Planning and Development Committee.



SITE OF THE APPLICATION



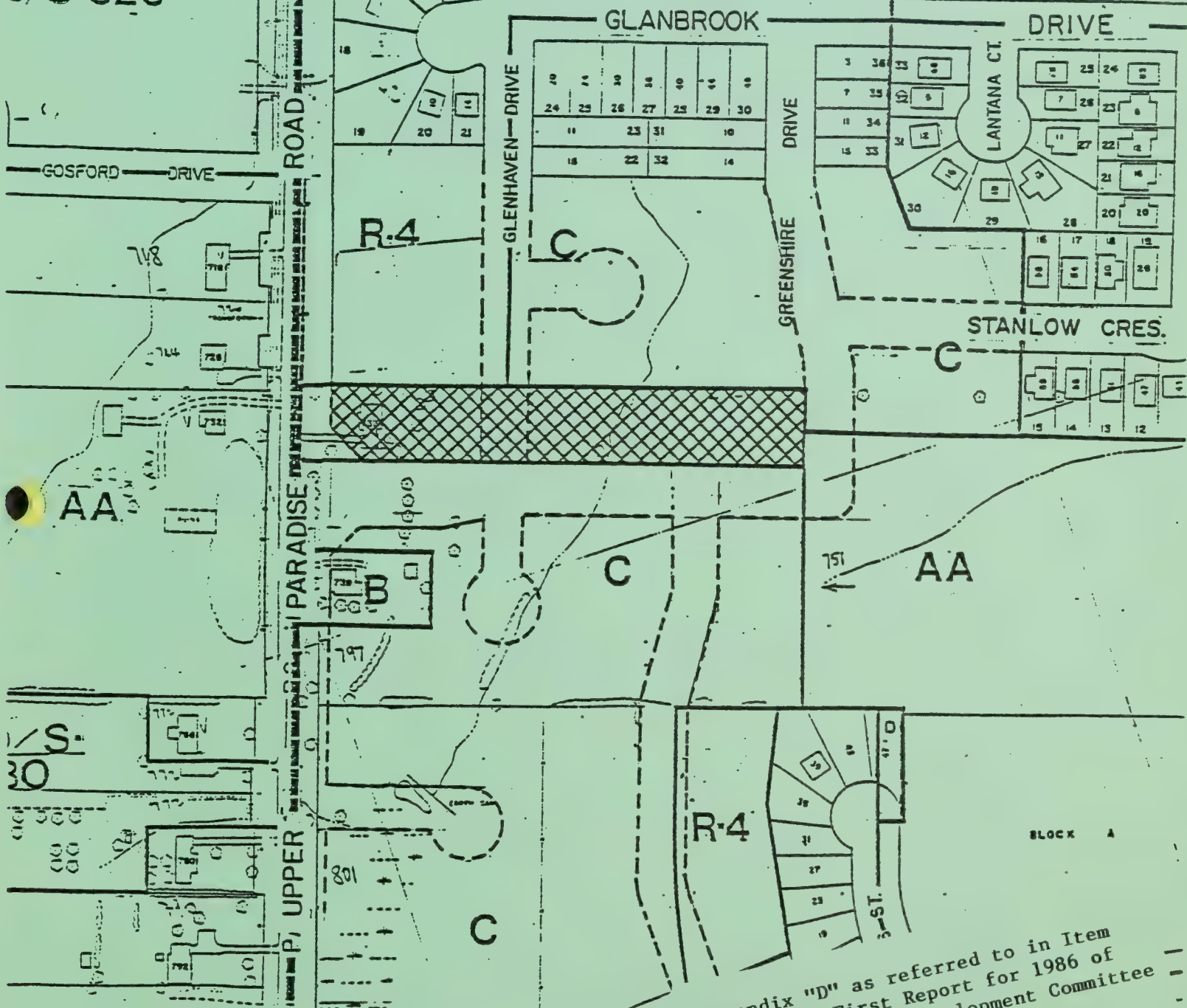
PROPOSED

MOUNTAIN

FREEWAY

RT-  
O/S-320

D/S-179



Appendix "D" as referred to in Item 4 B of the First Report for 1986 of the Planning and Development Committee

LEGEND :



SITE OF THE APPLICATION



AMENDMENT NO. 33  
TO THE CITY OF HAMILTON  
OFFICIAL PLAN

The following text, together with the attached Schedule 'A' hereto, constitute Amendment No. 33.

PURPOSE

The purpose of this Amendment is to delete a "Residential" designation and substitute an "Open Space" designation for those lands shown on the attached Schedule 'A'.

LOCATION

The subject lands are located at the intersection of Veevers Drive and Ambrose Avenue in the Vincent Neighbourhood, and known municipally as 22 Veevers Drive.

BASIS

This Amendment can be supported on the basis that this property was donated to the City for use as a horticultural/historical resource centre. Given the size of the property (4.25 ha or 10.5 acres) and its intended use, it is necessary to redesignate these lands to "Open Space".

ACTUAL CHANGE

Schedule 'A' of the Official Plan (Land Use Concept) be amended by redesignating the subject lands from "Residential" to "Open Space", as shown in red on the attached Schedule 'A' to this Amendment.

IMPLEMENTATION

The provisions of Subsection 'D' - Implementation of the City of Hamilton Official Plan, as amended, will apply to the implementation of this Amendment.

This is Schedule 1 to By-law No. \_\_\_\_\_, passed on the  
day of \_\_\_\_\_ A.D., 1985.

THE CORPORATION OF THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

Appendix "E" as referred to in Item  
7 a) of the First Report for 1986  
of the Planning and Development  
Committee

- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the transfer to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
  - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
  - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the transfer of the hereinbefore described land to the transferee, in addition to payment of the sale price to the transferor, the transferee covenants and agrees to and with the transferor:
- 1. That the transferee shall commence construction of a building, having a minimum building area of 4,000 square feet, upon the hereinbefore described land by not later than August 21st, 1986
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the transferee shall complete construction of the said building by not later than August 21st, 1987
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. That no transfer of the hereinbefore described land shall be made by the transferee until The Council of the City of Hamilton confirms that the conditions of Item 2 have been complied with.

Appendix "F" as referred to in Item 16 of the First Report for 1986 of the Planning and Development Committee

..... 1(b)

4. In the event that the transferee does not comply with covenants 1 and 2 or either of them by the date(s) set out therein, the transferee covenants and agrees that the transferee shall sell the lands to the transferor, free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the transferor, for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the transferor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.
5. The said transferor as registered owner and the said transferee hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said transferee.
- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraph 6.3 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.
- 6.5 The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraph 6.3 and its restrictions, covenants and agreements.



- 6.1 The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers;
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit;
  - (e) to pay building permit application fee;
  - (f) to pay for storm and sanitary sewers, water lines, their connections and laterals under the street and under the Purchaser's property;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality;
  - (i) to convey five percent (5%) of the land to the municipality for park purposes as a condition of development or redevelopment of the land for residential purposes;
  - (j) to apply for a re-zoning of the property in the event that the Purchaser's proposed use of the property is not permitted by the zoning by-law. Such application is subject to the approval of the City and the approval of the Ontario Municipal Board.
- 6.2 This Agreement may not be assigned by the Purchaser. In particular and without limiting the generality of the foregoing statement, it is understood and agreed that only the Purchaser named herein shall take title on closing and the Purchaser does not have the right to direct the Owner to convey the land to the Purchaser in trust, to the Purchaser and another or to a new third party.
- 6.3 In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- 1. That the grantee shall commence construction of a building, having a minimum building area of 3,000 square feet, upon the hereinbefore described land by not later than July 24th, 1986
- Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.
- 2. That the grantee shall complete construction of the said building not later than July 24th, 1987
- The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.
- 3. In the event that the grantee does not comply with covenants 1 and 2 or either of them as set out therein, the grantee covenants and agrees that the grantee shall sell the land to the Corporation of the City of Toronto.

Appendix "G" as referred to in Item 17 of the First Report for 1986 of the Planning and Development Committee

ued.....1(b)



of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the City, for the sale price herein, (without any interest) - less (a) the herein deposit; (b) the commission paid (if any) by the City to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

- 6.4 The Purchaser agrees that the restrictions, covenants and agreements in paragraphs 6.3 and 6.6 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the parties hereto, their successors and assigns.
- 6.5 The Purchaser agrees that the deed to him which he shall execute shall be subject to and include said paragraphs 6.3 and 6.6 and its restrictions, covenants and agreements.
- 6.6 Provided however that in the event the grantee does not complete construction of the said building by the 24th July, 1987 due to and reason beyond the fault of the grantee then the grantee shall be allowed up to 90 extra days after 24th July, 1987 to complete said building. Without limitation, "any reason beyond the fault of the grantee" shall include Acts of God, strikes, lock-outs, shortage of materials or labour, stop work orders, injunctions, insurrection, accident, injury or illness of senior officers of the grantee and destruction by fire or explosion.
- 6.7 The grantor shall forthwith after acceptance hereof, bona fide and expeditiously do and carry out all necessary steps, documents and things to pass all necessary By-Laws and resolutions and other requirements to give affect to the carrying out of the grantors obligations herein.

T E R M S  
Re: Offer to Purchase  
Parts 7 & 8 - Plan 62R-7820  
Goderich Road

7. The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sale price payable in this Offer to Purchase, there may be municipal, regional, governmental or provincial charges, fees, levies and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required after the grant to him:
- (a) to pay municipal, realty and business taxes;
  - (b) to pay City Local Improvement Charges for City services such as streets, sidewalks and curbs;
  - (c) to pay Regional Local Improvement Charges for Regional services such as water supply, storm sewers and sanitary sewers; it being understood and agreed that the charges for such services are nil.
  - (d) to pay Regional Special Charge (sewer impost fee), upon application for a building permit.
  - (e) to pay building permit application fee;
  - (f) to pay for the extension of services from the lot line of Part 8;
  - (g) to pay for the connection of all utilities to the premises;
  - (h) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement, if requested by the municipality.
9. In consideration for the grant of the hereinbefore described land to the grantee, in addition to payment of the sale price to the grantor, the grantee covenants and agrees to and with the grantor:
- (a) That the grantee shall commence construction of a building, having a minimum building area of 5,000 square feet, upon the hereinbefore described land by not later than September 27, 1986, provided necessary permits have been made available for the building and the proposed use.

Appendix "H" as referred to in Item 22 of the First Report for 1986 of the Planning and Development Committee

Building area is the greatest horizontal area of a building within the outside surface of the exterior walls. Construction is considered commenced when the foundations have been installed as determined by the Office of the Building Commissioner.

- (b) That the grantee shall complete construction of the said building not later than December 27, 1987, subject to any reasonable delay and in the event of such a delay, the time for complete construction will be extended.

The building is considered completed upon the issuance by the Office of the Building Commissioner of a Final Inspection Report.

- (c) In the event that the grantee does not comply with covenants (a) and (b) or either of them by the date(s) set out herein, the grantee covenants and agrees and the City agrees that the grantee shall sell the lands to The Corporation of the City of Hamilton, free and clear of all charges, encumbrances, liens, claims or adverse interest whatsoever - if required by the City, for the sale price herein, (without any interest) - less (i) the herein deposit; (ii) the commission paid (if any) by the City to a real estate agent; (iii) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.







REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its First Report and respectfully recommends:

1. Approval of the action of the Legislation Committee in granting permission to the Hamilton Jewish Community Centre to:
  - (a) place the Menorah on the balcony of City Hall from 1985 December 6-16.
  - (b) use the Council Chambers for a ceremony on Monday, 1985 December 9 at 4:00 o'clock p.m.
2. That permission be granted to the Head-of-the-Lake Historical Society to use the Council Chambers on Hamilton on Friday, 1986 January 17 at 8:00 o'clock p.m. to introduce a new book entitled "Around and About Hamilton."
3. That permission be granted to the Ukranian Canadian Committee to:
  - (a) fly the Ukranian flag over City Hall on 1986 January 22-27 to commemorate the Independence Day Celebrations.
  - (b) use the Council Chambers on Saturday, 1986 January 25 at 10:30 o'clock a.m. for an official ceremony.
4. That a civic gold pin be presented to Marisa Venier who won the All-Ontario (OFSAA) Senior Girls' Shot Put event on 1985 June 8.
5. That the Mayor be authorized to proclaim Thursday, 1985 December 26, Boxing Day as a Civic Holiday in the City of Hamilton.
6. (a) Approval of the action to host a parade and dinner for the Hamilton Tiger Cats at a total estimated cost of \$9,000.
  - (b) That the Finance Committee recommend the method of financing the parade and dinner.

7. (a) That the City Solicitor be authorized and directed to amend By-law 78-130 be amended so as to permit the issuance of six additional \$3,500 bingo licences in 1986. These licences to be issued on the basis of two every three months commencing on 1986 January 1.
- (b) That the City Solicitor be authorized and directed to amend By-law 78-130 be amended to prohibit the issuance of \$3,500 bingo lottery licences for events commencing prior to 6:00 o'clock p.m. in the evening.

NOTE: For the information of the members of Council, City Council in 1978 limited the issuance of Bingo Lottery Licences based on a population ratio of one licence for every 7,800 persons. The limiting of licences was an attempt to stabilize the income of charities, allow for a steady growth and to shift the profits from commercial entrepreneurs to the charities. This has resulted in 42 charities which sponsor major bingo events.

In 1978 the charities in Hamilton raised \$500 000 compared to \$1.7 million in 1984. As a result the By-law has met its objectives. However, it would now be in the best interest of these and other charitable groups wishing to operate bingos to allow the issuance of additional licences, as being recommended.

8. That \$41,940 in additional funds be approved to finance projected overdrafts in the City Clerk's Department and Legislative budgets.

NOTE: For the information of the members of Council, the additional funds are required to finance an anticipated overdraft in the following City Clerk's Department and Legislative Budgets:

	<u>Account</u>	<u>Projected Overdraft</u>
(a)	Account No. 0322-0112 Administration - Advertising and Publicity	\$15,000
(b)	Account No. 0322-0201 Licence Section - Salaries and Wages	\$20,740
(c)	Account No. 0321-0291 Aldermen's Offices - Travelling	\$ 1,200
(d)	Account No. 0321-0316 Aldermen's Offices - Postage	\$ 5,000

9. That those members of the Hamilton Performing Arts Corporation Inc., and the Hamilton Convention Centre Board, whose term of office will be expiring this year, be re-appointed to serve on their respective Boards until such time as the Hamilton Entertainment and Convention Facilities Inc. is established.

10. For the information of the members of City Council, the following Aldermen were appointed to the Legislation Subcommittees:

	<u>Subcommittee</u>	<u>Alderman Appointed</u>
(a)	Hamilton Farmer's Market Subcommittee	Alderman V. Agro Alderman P. Valeriano Alderman R. Wheeler
(b)	French Subcommittee	Alderman P. Valeriano Alderman S. Collins
(c)	Film Advisory Subcommittee	Alderman V. Agro Alderman J. Gallagher
*	(d) Status of Women Subcommittee	Alderman M. Kiss Alderman G. Copps

11. That leave be granted to introduce the following bills:

- (a) Bill No. D-1 - By-law to Amend Market By-law No. 81-180  
Respecting Stands Nos. 90, 92 and 93.
- (b) Bill No. D-2 - By-law to Amend Lottery Licence By-law 78-130  
Respecting Bingo Lotteries.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale  
Secretary  
1985 December 3

- \* See Item 11 of the Report of the Executive Committee.









## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its FIRST Report and respectfully recommends:

1. Approval of the following Memorandums of Agreement:

- (a) The Corporation of the City of Hamilton and Local 772 of the International Union of Operating Engineers, A.F.L., C.I.O., C.L.C., attached hereto as Schedule "A".
- (b) The Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association for the years 1985 and 1986, attached hereto as Schedule "B".
- (c) The Corporation of the City of Hamilton and Local 167 (Dundurn Castle Unit), for the period February 1, 1985, to January 31, 1987, attached hereto as Schedule "C".

- 2.
  - (a) Approval of the classification of the position of Claims Manager, Public Works Department, in Salary Schedule 113 (Non-Union): \$25,591.80; \$26,526.24; \$27,622.40; \$28,919.80; \$30,399.72 per annum.
  - (b) That Mrs. R. Salayko, presently the Claims Clerk, be appointed to this position and paid \$25,591.80 per annum (first step), effective November 25, 1985.
  - (c) That the position of Claims Clerk be posted and filled.
- 3.
  - (a) Approval of the establishing of the position of Data Control Clerk, Treasury Department, Salary Schedule A-4: \$373.08; \$387.07; \$398.22; \$409.37; \$420.53 per week.
  - (b) That the position be posted and filled on a temporary basis.
  - (c) That the position of Unit Record Operator, Salary Schedule A-5, Treasury Department, be deleted from the staff quota.



4. (a) Approval of the reclassification of the position of Taxation Clerk IV, Treasury Department, Salary Schedule E-4 to Taxation Clerk III, Salary Schedule E-5: \$359.11; \$373.02; \$389.71; \$403.77 per week.  
  
(b) Mrs. E. Maloney, incumbent, presently paid \$375.85 per week, be paid \$389.71 per week (third step), effective November 4, 1985.
5. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation to November 25, 1985, as set out on the list attached hereto as Schedule "D".
6. The Committee discussed the question of engaging a consultant to assist in recruiting a person to fill the position of Director of Systems and Data Processing in the Treasury Department. At the October 23rd meeting of the Personnel Committee a proposal to recommend to Council the appointment of the firm of Peat, Marwick & Partners to conduct this executive search at a fee not to exceed \$18,000.00 was lost on a tie vote. This was reported to City Council, and the Council at its meeting held on October 29th, decided that this firm would not be engaged.

At this meeting of the Committee (December 4th) the following motions were lost on tie votes, and are forwarded to Council for disposition.

- (a) That quotes be obtained from Peat, Marwick & Partners and two other consulting firms to conduct an executive search to find a person to fill the position of Director of Systems and Data Processing.
- (b) That the firm of Peat, Marwick & Partners be engaged to conduct an executive search to find a person to fill the position of Director of Systems and Data Processing. The fee not to exceed \$18,000.00.\*

\* Note: As much of the preliminary work has been carried out by the City, i.e., advertising, receiving applications, etc., this figure would be reduced.

7. Confirmation of the awarding of the following contracts:

(a) FIRTH BROS. LTD., & MARTIN & LEVESQUE INC., Hamilton, Ontario.

Supply and delivery of Uniform Clothing for the Hamilton Fire Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$32,877.36.

Note: Lower of 2 acceptable tenders.

(b) LORRAINE SPORT SUPPLY CO. LTD., Hamilton, Ontario.

Supply and installation of a Breathing Air Compressor and Purification System, Central Fire Station, Hamilton, Ontario, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of \$19,977.00, all charges included.

Note: Lowest of 3 tenders.

Note: These contracts have been awarded in accordance with Council's emergency procedures.

Respectfully submitted,

Alderman M. Kiss, Chairman,  
Personnel Committee.

E. A. Simpson, Secretary,  
1985 December 04.

This Memorandum of Agreement made this 1<sup>st</sup> day of November, 1985

BETWEEN THE NEGOTIATING COMMITTEES OF;

THE CORPORATION OF THE CITY OF HAMILTON

AND

THE CIVIC EMPLOYEES OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL 772, A.F.L.  
C.I.O., C.L.C.

- (i) The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- (ii) The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.
- (iii) The parties herein agree that the term of the Collective Agreement shall be August 1, 1985 to July 31, 1987.
- (iv) The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from August 1, 1984 to July 31, 1985 together with the following amendments and provisions.
- (v) The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto unless specifically provided otherwise.

The following are the amendments referred to in Item V above:

1. Article 6 - Shift Differential

6.4 Amend shift premium from \$.40 to \$.45.

6.8 Amend weekend premium from \$.45 to \$.50

2. Article 9 - Statutory Holidays

9.1 Amend last paragraph as follows:

"Such half (1/2) day shall be effective for new employees only if the new employee has completed thirty (30) working days prior to the working day immediately before Christmas Day."

3. Article 10 - Sick Leave, Pension and Group Medical & Hospitalization Plans

10.3 Increase vision care from \$50.00 every two years to \$65.00 every two years.

10.4 Amend by replacing 1984 O.D.A. Schedule with "current O.D.A. Schedule".



10.5 Add new clause as follows:

"The Union agrees that the Employer may allocate the Unemployment Insurance Premium Rebate received for each employee towards the annual cost of benefit plans."

4. Article 19 - Health & Welfare

19.4 Amend meal allowance from \$4.50 to \$5.00

5. The Union agrees that all legal citations in the agreement between the parties shall be updated to reflect the current applicable citations.

6. Article 24 - Duration of Agreement

Amend Agreement to reflect contract from August 1, 1985 to July 31, 1987.

7. Tool kits shall be issued to Maintenance Men. All tool kits remain the property of the Corporation; and lost or stolen tools shall be replaced with tools of the same quality by employees at the employee's expense. Tool kits will be checked by management every three (3) months and necessary replacements made at that time.

8. Schedule "A"

a) That the Maintenance Engineer III, Salary Schedule M12, (4), be classified as Maintenance Man II, Salary Schedule M15.

b) That the newly created positions of:

Electrical/Electronic Technician	M17
Refrigeration/A.C. Technician	M17
Maintenance Repairman	M14
Arena Maintenance Man I	M10
Arena Maintenance Man II	M2
Shipper & Receiver	M10

be included in Schedule "A" of the Collective Agreement between the parties in accordance with Article 1.2 of the Collective Agreement.

c) That the position of Operator III, M12, be classified "Operator Central Utilities", M16, effective February 1, 1986.

d) That the position of Maintenance Engineer IV, M10, be classified Maintenance Man III, M11, effective February 1, 1986.

e) That the rates for classifications in Schedule "A" be increased by 4.25% August 1, 1985, and by 4.25% August 1, 1986.



f) That the incumbents in the positions of

- (1) Maintenance Engineer III
- (2) Operator III
- (3) Maintenance Engineer IV

shall be automatically moved to their new classification on the dates set out above and the positions shall not be posted.

ENTERED INTO THIS 1st DAY OF November, 1985, ON BEHALF OF:

THE CORPORATION OF THE  
CITY OF HAMILTON.

THE CIVIC EMPLOYEES  
OF THE INTERNATIONAL UNION OF  
OPERATING ENGINEERS, LOCAL 772,  
A.F.L., C.I.O., C.L.C.

[Signature]

[Signature]

[Signature]

[Signature]

\_\_\_\_\_

[Signature]

Herman Cate

\_\_\_\_\_

\_\_\_\_\_

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This Memorandum of Agreement made this 21st day of November, 1985.

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

THE HAMILTON PROFESSIONAL FIRE FIGHTERS ASSOCIATION

- I. The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II. The undersigned representatives of the parties agree to recommend unanimous acceptance of all the terms of this Memorandum to their respective principals.
- III. The parties herein agree that the term of the Collective Agreement shall be January 1, 1985 to December 31, 1986.
- IV. The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from January 1, 1984 to December 31, 1984, together with the following amendments and provisions.
- V. The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above:

1. Effective January 1, 1986 the Corporation will pay 100% of the cost of providing each retired member and his or her spouse, or his or her widow or widower until he or she attains the age of 65 with the following coverage:

- (a) Ontario Health Insurance Plan.
- (b) An extended Health Care Medipak Plan.
- (c) Canada Life Dental Plan 1, 2 and part of 3.

Note: (1) B and C shall be administered by Blue Cross.

- (2) Retired shall mean normal retirement as set out in:
  - (i) HMRF
  - (ii) OMERSand shall include retirement because of disability as described in those plans.

- (3) The forgoing shall apply to employees of the Hamilton Fire Department who have retired between January 1, 1985 and December 31, 1985, except those employees who have taken employment with another government and are therefore in receipt of the benefits described above.
- (2) That the proposed wording in the Promotion Article C9 be incorporated in the Collective Agreement as the article applies in:
- (a) Promotion of Fire Safety Officer.
  - (b) Promotion of Assistant Chief Fire Prevention Officer.
  - (c) Promotion to Supervisor of Vehicle & Equipment Repairs.
- (3) New Clause.  
An employee shall have the right to have the President of the Association (or his designate) present at all formal disciplinary meetings with Management which will result in a notation on the employee's record or disciplinary action being taken.
- (4) The Memorandum in the matter of the calculation of rates. Various Classifications-Hamilton Fire Department (September 20, 1985) shall form part of the Collective agreement between the parties and shall be appended to Schedule A as Schedule A.1.
- (5) In the event that the Corporation of the City of Hamilton during the term of the 1985/86 Collective Agreement, resumes operation of the crash fire rescue service at the Hamilton-Wentworth Regional Municipal Airport, then the following clauses:

Article C9 - Promotion of Crew Chief

Eligibility:

Two years service in the rank of Lieutenant in the Airport Division.

Promotional Board:

Promotional recommendation Board, consisting of Deputy and Executive Officer shall interview all candidates for promotion and shall submit a minimum of two names to the Chief for each vacancy.

Promotional Recommendation:

Selection will be made by the Chief from the list submitted by the Promotional Board following interview with recommended personnel.

Promotion of Lieutenant (Airport)

Eligibility:

Two years service in the rank of Fire Fighter 1 in the Airport Division.



Promotional Board:

Promotional recommendation Board consisting of the Deputy, Executive Officer and Crew Chief shall interview all candidates for promotion and shall submit a minimum of two names to the Chief for each vacancy.

Promotional Recommendation:

Selection will be made by the Chief from the list submitted by the promotional Board following interview with recommended personnel.

shall be inserted into the 1985/86 Collective Agreement between the Hamilton Professional Fire Fighter Association and the Corporation of the City of Hamilton.

- (6) Minutes of settlement in the matter of change of carrier as appended hereto shall form part of the Collective Agreement between the parties for the years 1985 and 1986.
- (7) General Increases for the years 1985 and 1986 shall apply to schedule A of the Collective Agreement between the parties for the year 1984.

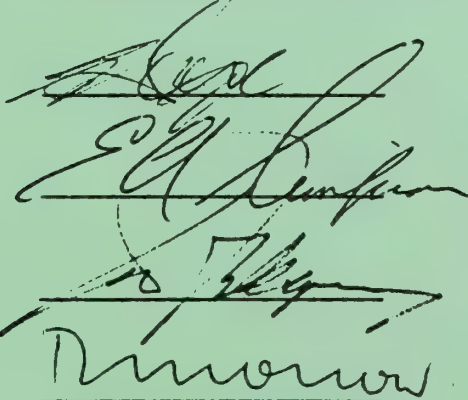
- |     |                  |             |
|-----|------------------|-------------|
| (1) | January 1, 1985  | - 4.25 %    |
| (2) | January 1, 1986  | - 4.00 %    |
| (3) | December 1, 1986 | - 3.53759 % |
- (1st Class Fire fighter December 1, 1986 36,859.85)

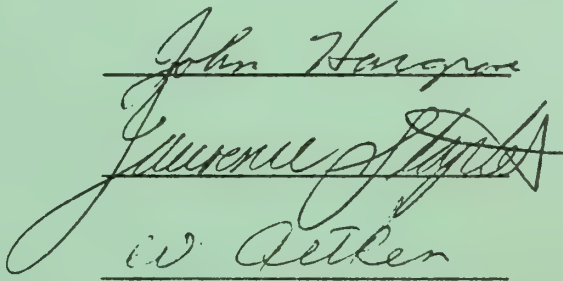
- (8) Retro active pay will be received by all members in December of 1985.

ENTERED INTO THIS 21<sup>st</sup> DAY OF NOVEMBER, 1985, ON BEHALF OF:

THE CORPORATION OF  
THE CITY OF HAMILTON

THE HAMILTON PROFESSIONAL  
FIREFIGHTERS ASSOCIATION

  
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## MINUTES OF SETTLEMENT

THIS AGREEMENT between the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association, dated this \_\_\_\_\_ day of November, A.D. 1985.

WHEREAS the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association have resolved their differences arising out of the change of carriers from Canada Life to Blue Cross on or about July 31, 1984, and the subsequent arbitration Award of Richard R. Walker, Q.C. dated July 18, 1985;

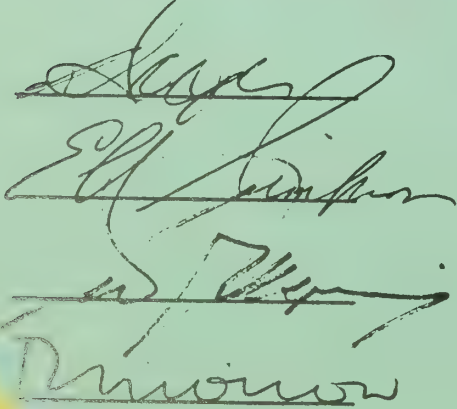
NOW THEREFORE, the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association mutually agree as follows:

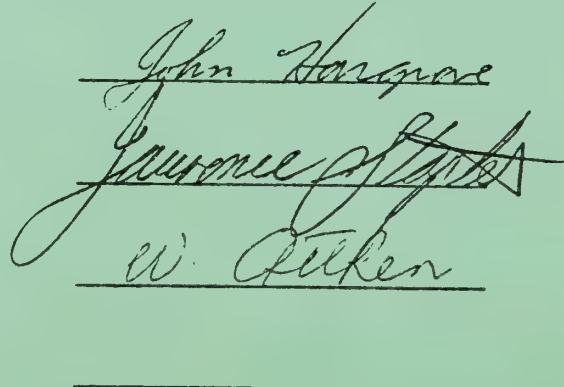
1. The Corporation of the City of Hamilton guarantees to the Hamilton Professional Fire Fighters Association that exactly the same terms and conditions of the Canada Life Plans, being Policy No. 10778, which were in effect as of July 31, 1984 and referred to in Articles 11.4 and 11.5 of the Collective Agreement between the Corporation of the City of Hamilton and the Hamilton Professional Fire Fighters Association, shall constitute exactly the same terms and conditions of the Plans to be administered by Blue Cross and the Hamilton Professional Fire Fighters Association consents to having the Plans administered by Blue Cross. This guarantee does not cover the Minutes of Settlement between William G. Mallett and Aznive Mallett and the Canada Life Assurance Co. dated November 12, 1981.
2. The Corporation of the City of Hamilton agrees to abandon it's application for Judicial Review No. 785/85 with solicitor client costs to the Hamilton Professional Fire Fighters Association for the Richard R. Walker Arbitration and Judicial Review.
3. The Hamilton Professional Fire Fighters Association and the Corporation of the City of Hamilton agree that these Minutes of Settlement shall constitute a full and final settlement of all differences arising out of the change in carriers from Canada Life to Blue Cross on or about July 31, 1984; and that these Minutes of Settlement shall constitute a full and final settlement for all remedies to which the Hamilton Professional Fire Fighters Association may have been entitled to under the Award of Richard R. Walker Q.C. dated July 18, 1985. These Minutes of Settlement shall not deprive William G. Mallett of any rights he may have under the Award of Richard R. Walker, Q.C. dated July 18, 1985.

ENTERED INTO THIS 21st DAY OF NOVEMBER, 1985, ON BEHALF OF:

THE CORPORATION OF  
THE CITY OF HAMILTON

THE HAMILTON PROFESSIONAL  
FIREFIGHTERS ASSOCIATION





This Memorandum of Agreement made this 10<sup>th</sup> day of October, 1985

BETWEEN THE NEGOTIATING COMMITTEES OF:

THE CORPORATION OF THE CITY OF HAMILTON

- and -

THE CANADIAN UNION OF PUBLIC EMPLOYEES - LOCAL 167  
(Dundurn Castle Unit)

- I The parties herein agree to the terms of the Memorandum as constituting full settlement of all matters at issue between the parties.
- II The undersigned representatives of the parties agree to recommend unanimously acceptance of all the terms of this Memorandum to their respective principals.
- III The parties herein agree that the term of the Collective Agreement shall be February 1, 1985 to January 31, 1987.
- IV The parties herein agree that the said Collective Agreement shall include the terms of the Collective Agreement covering the period from February 1, 1984 to January 31, 1985, and the following amendments and provisions.
- V The Collective Agreement shall be amended in accordance with the following and such amendments shall become effective upon ratification by both parties whose proper officers have appended their signatures hereto, save and except where this Memorandum of Agreement specifically provides otherwise.

The following are the amendments referred to in Item V above:

- 1. Agree that the letters of intent regarding:
  - a) draft copy of agreement
  - b) employees at Dundurn and Whitehern be included in Schedule "A", and
  - c) bereavement leavebe included in the agreement.
- 2. That positions at the Military Museum where the duties are the same or substantially similar shall be included in the scope of this agreement.
- 3. That a Labour-Management meeting be set up to discuss the organizational changes being proposed which affect the duties of positions coming within the scope of this agreement.

4. That the matter of Safety Shoes being required for certain positions within the scope of this agreement be investigated by the Safety Officer and if it is found that they should be worn, they shall be supplied and worn under the same conditions as members of the Local 167, Administration Unit.

5. Wages:

Effective February 1, 1985 - 4.25% added to all rates in Schedule "A"

Effective February 1, 1986 - 4.25% added to all rates in Schedule "A".

Entered into this 10th day of October, 1985, on behalf of:

FOR: THE CORPORATION OF  
THE CITY OF HAMILTON

FOR: THE CANADIAN UNION OF PUBLIC  
EMPLOYEES, LOCAL 167  
(Dundurn Castle Unit)

*Murray*  
*Ed. L. L. L.*  
*Mrs. L. L. L.*

*[Signature]*



SCHEDULE "D"  
Referred to in Section 5 of the FIRST Report of the  
Personnel Committee

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Silvana Albano	Stenographer B	City Clerk's	returning to former position	108N	\$20,319.52 per annum	Oct. 14/85
Ms. Marilyn Bowlby	Box Office Supervisor	Ham. Entertainment & Convention Facilities, Inc.	new position as approved	109	\$18,921.76 per annum	Oct. 28/85
Mr. Mark Burtiak	Preventative Maintenance Supervisor	Trade Centre/Arena	new position as approved	115A	\$31,855.20 per annum	Oct. 7/85
Ms. Joanne Cers	Stenographer IV	City Clerk's	replacement for M. Joyce Walton - promoted	E-2	\$299.65 per week	Oct. 7/85
Mr. Robert Desnoyers	Chief Engineer	Trade Centre/Arena	replacement for Leo Constantinides - transferred	117	\$35,893.52 per annum	Sept. 16/85
Mr. Frank Digiambattista	Arena Maintenance Man I	Trade Centre/Arena	new position as approved	M-10	\$11.632 per hour	Oct. 21/85
Mr. John Dowling	Lieutenant	Fire	staff for new fire station #7 (previously reported as replacing Frank Brohman - promoted)	C-7	\$35,522.98 per annum	Sept. 8/85



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Linda Everets	Clerk III - Printing & Mailing	City Clerk's	returning to permanent position - was replacing E. Beatrice - maternity leave	E-1	\$306.11 per week	Oct. 28/85
Mr. Larry Fair	Arena Maintenance Man II	Trade Centre/Arena	new position as approved	M-7	\$10.639 per hour	Oct. 21/85
Mr. Roy Gillespie	Property Superintendent	Property Maintenance Div. of Real Estate	replacement for Herb Barker - retired	118	\$40,589.12 per annum	Oct. 7/85
Ms. Janice Goodwin	Payments Clerk II	Treasury	replacement for Larry Friday - promoted	A-8	\$434.52 per week	Oct. 14/85
Ms. Melissa Gould	Stenographer IV	Community Development	replacement for Betty Carter - promoted	E-2	\$299.65 per week	Oct. 21/85
Mr. David Kelly	Assistant Director-Event Planning	Trade Centre/Arena	new position as approved	115A	\$34,786.96 per annum	Oct. 7/85
Mr. Robert Kitchener	Lieutenant	Fire	replacement for John McGee - deceased	C-7	\$35,522.98 per annum	Oct. 27/85
Mr. Frederick Lalonde	Rink Attendant	Culture &	replacement for Terry Mroz - promoted	D-5	\$10.706	Oct. 28/85

Prepared November 8, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mr. Frank Ludwig	Hydraulic Backhoe Operator	Public Works	additional staff as approved	D-11	\$11,114 per hour	Nov. 1/85
Ms. Alexandra MacKay	Typist Clerk II	Treasury	replacement for Janice Goodwin - promoted	E-2	\$299.65 per week	Oct. 15/85
Mr. Robert McDonald	Lieutenant	Fire	staff for new fire station #7 (previously reported as replacing Albert Vandenkaker - promoted)	C-7	\$35,522.98 per annum	Sept. 8/85
Mr. John McShane	Rink Attendant	Culture & Recreation	replacement for Lawrence Taggart - promoted	D-5	\$10,706 per hour	Oct. 28/85
Mr. Richard Melanson	Rink Attendant	Culture & Recreation	replacement for Frank Digiambattista - promoted	D-5	\$10,706 per hour	Oct. 28/85
Mr. Terry Mroz	Arena Maintenance Man II	Trade Centre/Arena	new position as approved	M-7	\$10,639 per hour	Oct. 21/85
Ms. Diana Nusca	Stenographer B	Trade Centre/Arena	new position as approved	108N	\$17,832.36 per annum	Oct. 31/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Terri Reeve	Prob. Communications Operator, 1st 12 mos.	Fire	replacement for Terri Neeb - resigned	N-1A	\$22,984.88 per annum	Nov. 4/85
Mrs. Carol Rising	Microfilm Technician I	Treasury	returning to former position	E-2	\$322.82 per week	Oct. 28/85
Mr. Lawrence Taggart	Arena Maintenance Man II	Trade Centre/Arena	new position as approved	M-7	\$10.639 per hour	Oct. 21/85
Mr. Jerry Van Den Heuvel	Chief Electrician	Trade Centre/Arena	new position as approved	117A	\$35,893.52 per annum	Oct. 28/85
Mr. Randy Zangrando	Motor Mechanic	Central Garage Division of Public Works	replacement for Aldo Mostacci - resigned	D-17	\$12.755 per hour	Oct. 28/85

Prepared November 8, 1985

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mr. Gerald Attard	Assistant Banquet Manager	Convention Centre	resigned	2 yrs. & 8 mos.	Oct. 26/85
Ms. Liliana DiBiagio	Keypunch Operator I	Treasury	terminated	2 1/2 mos.	Oct. 25/85
Mr. Enrico Geloso	Concrete Finisher & Labourer	Public Works	retired	15 yrs. & 4 1/2 mos.	Oct. 31/85
Mr. Norman Gordon	Firefighter I, 4th yr.	Fire	retired	37 yrs. & 7 mos.	Oct. 31/85
Mr. William Keable	Maintenance Engineer III	Central Utilities Plant	retired	5 yrs. & 5 1/2 mos.	Oct. 31/85
Mr. William Losier	Maintenance Man I	Property Maintenance Division of Real Estate	retired	33 yrs. & 1/2 mo.	Nov. 29/85
Mrs. Joanne Maki	Stenographer III	Building	resigned	3 yrs. & 5 mos.	Oct. 25/85

F-17



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. William Douglas	Assistant Chief Engineer (temporary)	Central Utilities Plant	replacement for Robert Desnoyers - promoted (being filled temp. due to J. Jardine on L.T.D.)	115	\$30,483.96 per annum	Oct. 7/85
Ms. Ann Gillespie	Research Assistant (temporary)	Dundurn Castle Division of Culture & Recreation	temporary additional staff	T-2	\$849.60 biweekly	Oct. 9/85
Mr. Terry Verge	Rink Attendant (temporary)	Culture & Recreation	temporary replacement for Tennessee Propedo - off sick	D-5	\$10.706 per hour	Oct. 21/85

Prepared November 8, 1985

THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk's	lay off	3 mos.	Oct. 25/85
Ms. Marilyn Bowlby	Box Office Clerk (temporary)	Hamilton Place	resigned	5 yrs. & 7 mos.	Oct. 25/85

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Bertilla Agresta	Typist Clerk II	Culture & Recreation	replacement for Bertilla Agresta - resigned	E-2	\$299.65 per week	Nov. 18/85
Mr. Marcel Bellehumeur	Lead Hand Welder	Central Garage Division of Public Works	new position as approved	D-16	\$12,705 per hour	May 28/85
Mrs. Patricia Empey	Stenographer III	Purchasing Division of Treasury	replacement for Donna Barr - transferred	E-3	\$331.09 per week	Nov. 4/85
Mr. Christopher Meredith	Lieutenant	Fire	replacement for F. Brohman - promoted	C-7	\$35,522.98 per annum	Nov. 24/85
Ms. Debbie Myers	Stenographer IV	Central Garage Division of Public Works	replacement for Lynn Zbucki - promoted	E-2	\$299.65 per week	Nov. 11/85
Mr. Richard Oshanek	Caretaker	Property Maintenance Division of Real Estate	replacement for M. Beauchamp - off sick (L.T.D.)	B-2	\$382.16 per week	Oct. 31/85
Mr. Thomas Redmond	Plan Examiner I	Building	additional staff as approved	118	\$37,171.16 per annum	Nov. 11/85

**THE CORPORATION OF THE CITY OF HAMILTON**

**APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Miss Kimberly Roy	Stenographer IV	Community Development	replacement for Patricia Empey - promoted	E-2	\$299.65 per week	Nov. 25/85
Mr. John Thomas	House Plan Examiner and Draftsman	Building	replacement for John Ivezić - promoted	A-8	\$434.52 per week	Nov. 11/85
Mr. Brian Vance	Garbageman	Public Works	transferred - employee's request	D-8	\$10.882 per hour	Nov. 11/85



THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Bernard Browne	Shop Helper	Central Garage Division of Public Works	retirement	18 yrs. & 5 1/2 mos.	Nov. 29/85
Mrs. Patricia Butler	Pool Supervisor	Culture & Recreation	resigned	8 yrs. & 8 mos.	Nov. 15/85
Mrs. Rossana Calcagni	Taxation Clerk IV	Treasury	resigned	7 yrs. & 6 1/2 mos.	Nov. 11/85
Mrs. Ann Meema	Solicitor I	City Solicitor's	resigned	7 yrs. & 7 mos.	Nov. 29/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Deborah Bourque	Clerk III - Printing & Mailing (temporary)	City Clerk's	replacement for Debbie Myers - promoted	E-1	\$284.76 per week	Nov. 11/85
Ms. Kathryn Bradshaw	Stenographer III (temporary)	Treasury	replacement for Paula Kita - temp. promoted	E-3	\$319.46 per week	Nov. 18/85
Ms. Lynda Everets	Clerk II - Printing & Mailing (temporary)	City Clerk's	replacement for Shirley Strang - temp. promoted	E-2	\$322.82 per week	Nov. 4/85
Ms. Debbie Myers	Clerk III - Printing & Mailing (temporary)	City Clerk's	replacement for Linda Everets - temp. promoted	E-1	\$284.76 per week	Nov. 4/85
Mr. Tennessee Propedo	Rink Attendant (temporary)	Culture & Recreation	seasonal staff	D-5	\$10.706 per hour	Nov. 11/85
Ms. Shirley Strang	Clerk I - Printing & Mailing (temporary)	City Clerk's	replacement for Christine Davies - maternity leave	A-3	\$348.01 per week	Nov. 4/85



## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FIRST** Report and respectfully recommends:

1. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway first South of Primrose Avenue running from Gage Avenue to Avondale Avenue at an estimated cost of owner's share \$3 526.41, as well as City's share \$15 413.59, by the issuance of debentures totalling \$18 940 for a period not to exceed 15 years; and
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$18 940 for a term not to exceed 15 years for the above project.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as part of Project No. 35000, Page 9, City's share and Project No. 85000, Page 35, Owner's share, to commence in 1985.

This item was approved by the Transport and Environment Committee on November 4, 1985, and is referred to in subsection 3 of section 18 of the First Report of the Transport and Environment Committee.

2. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway in the block bounded by Cedar Avenue, Afton Avenue, Prospect Street and Cumberland Avenue at an estimated cost of owner's share \$8 992.98, as well as City's share \$13 307.02, by the issuance of debentures totalling \$22 300 for a period not to exceed 15 years; and
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$22 300 for a term not to exceed 15 years for the above project.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as part of Project No. 35000, Page 9, City's share and Project No. 85000, Page 35, Owner's share, to commence in 1985.



This item was approved by the Transport and Environment Committee on November 4, 1985, and is referred to in subsection 2 of section 18 of the First Report of the Transport and Environment Committee.

3. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway first South of Bristol Street running from Sanford Avenue to Minto Avenue at an estimated cost of owner's share \$6 492.11, as well as City's share \$16 977.89, by the issuance of debentures totalling \$23 470 for a period not to exceed 15 years; and
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$23 470 for a term not to exceed 15 years for the above project.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as part of Project No. 35000, Page 9, City's share and Project No. 85000, Page 35, Owner's share, to commence in 1985.

This item was approved by the Transport and Environment Committee on November 4, 1985, and is referred to in subsection 1 of section 18 of the First Report of the Transport and Environment Committee.

4. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct an alleyway first east of Locke Street running from Charlton Avenue to Alexander Street, at an estimated cost of owners share \$3 268.38, as well as City's share \$12 831.62, by the issuance of debentures totalling \$16 100 for a period not to exceed 15 years; and
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$16 100 for a term not to exceed 15 years for the above project.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as part of Project No. 35000, Page 9, City's share and Project No. 85000, Page 35, Owner's share, to commence in 1985.

This item was approved by the Transport and Environment Committee on December 2, 1985, and is referred to in section 61 of the First Report of the Transport and Environment Committee.

5. That approval be given to disburse surplus funds of \$7 190.93, raised for the 1985 Hamilton Games for the Physically Disabled, through community and corporate sponsorship, as follows:

- (a) The purchase of specialized games equipment for training of disabled - totalling \$3 300
- (b) That transfer of \$3 890.93 to the Culture and Recreation Publicity Account, for expenditures which were incurred during promotion of the Disabled Games.

**NOTE:** \$37 451.93 was raised by the organizing games committee, \$6 000 of which was donated by the City in the form of a grant; \$30 261 was expended on the games and \$7 190.93 is the existing balance in the account.

Hamilton will be developing annual competitions for disabled athletes and has indicated an intent to host the 1987 Provincial Games.

Existing equipment inventories of Track and Field and Recreation Clubs do not include these items.

- 6. That the City Solicitor be authorized and directed to make application to the Ontario Municipal Board for the transfer of \$233 750 surplus debenture proceeds to "Replacement of Ice Making System - Inch Park Arena", Ontario Municipal Board Order No. E850719 Debenture By-law 85-183. The surplus debenture proceeds to be transferred from the following projects:

Major Renovations - Lawfield Arena

Ontario Municipal Board Order No. E820366		
Debenture By-law 82-204		
Amount Issued	\$ 233 000	
Amount Required	214 250	
Surplus Debenture Funds		\$ 18 750

Construction of Sir Allan MacNab Recreation Centre

Ontario Municipal Board Order No. E80341		
Debenture By-law 83-009		
Amount Issued	\$1 776 000	
Amount Required	1 626 000	
Surplus Debenture Funds		150 000

Major Renovations Artificial Ice Rink - Inch

Ontario Municipal Board Order No. E820127		
Debenture By-law 82-95		
Amount Issued	\$ 435 000	
Amount Required	370 000	
Surplus Debenture Funds		65 000

<b>Total Surplus Debenture Funds</b>		<b>\$233 750</b>
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7. That the estimated cost of \$35 000 to install safety deluge showers and eye wash units in 21 recreation facilities, where chemicals are handled, be financed from the "Reserve for Major Repairs and Improvements to City - Owned Properties", account 0280-24.

**NOTE:** The Parks and Recreation Committee, at its meeting of October 31, 1985, approved of the project as outlined above. An Order to Comply from the Department of Labour was received on October 4, 1985, and after investigation, installation of the equipment was recommended by staff in consultation with the City's Safety Officer.

8. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct the rehabilitation of the North-South Stands at an estimated gross cost of \$1 275 000, with no eligible subsidies, by the issuance of debentures for a period not to exceed 15 years recovered from the mill rate levied on all rateable property; and
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the total amount of \$1 275 000 for a term not to exceed 15 years.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as part of Project No. 32624B, Page 19, to commence in 1985.

This item was approved by the Parks and Recreation Committee on October 31, 1985, and is referred to in section 7 of the First Report of the Parks and Recreation Committee.

9. (a) That the cost of financing the following projects, as set out in the 1985 1989 Capital Budget, **be rescinded:**
- i. Replacement of Ice Making System at Coronation Arena, Project No. 39286, at a gross cost of \$700 000, to be financed in 1989;
  - ii. Replacement of Ice Making System at Eastwood Arena, Project No. 38285, at a gross cost of \$650 000, to be financed in 1988
  - iii. Replacement of Ice Making System at Parkdale Arena, Project No. 30284, at a gross cost of \$750 000, to be financed in 1990.



- (b) That the cost of financing these projects, at an estimated cost of \$725 000, each be advanced to 1985 and that the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to replace the refrigeration systems at Coronation, Eastwood and Parkdale Arenas, at an estimated cost of \$2 175 000 (estimated cost of \$725 000 for each project) with no eligible subsidies by the issuance of debentures for a period not to exceed 15 years recovered from the mill rate levied on all rateable property; and
- (c) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$2,175,000 for a term not to exceed 15 years.

**NOTE:** This item was approved by the Parks and Recreation Committee on October 31, 1985, and is referred to in section 4 of the First Report of the Parks and Recreation Committee.

For the information of Council, there is allowance in the 1985 O.M.B. quota to accommodate this request.

10. That the estimated cost of \$9 000 to host the parade and dinner for the Hamilton Tiger-Cats Football Club held on November 26, 1985 be financed by means of an overdraft in the Unclassified Expenditure Account 0378-27XX.

**NOTE:** This item was approved by the Legislation Committee on December 3, 1985, and is referred to in section 6 of the First Report of the Legislation Committee.

11. That the additional funds for the construction of the support structure for the Birks Clock estimated at \$15 000 be financed from the Reserve for Capital Projects, Account No. 0280-27.

**NOTE:** This item was approved by the Planning and Development Committee on December 4, 1985, and is referred to in section 9 of the First Report of the Planning and Development Committee.

12. Approval of the awarding of the following purchase order:

SKYLIGHT WINDOW CLEANING CO., Hamilton, Ontario

Window cleaning of various buildings in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for 1986 for the total sum of .....\$42 643.50

**NOTE:** Lowest of 2 tenders received in 1982. This is a 5% increase over 1985 tender price and is the fifth year of a five year contract.



13. Approval of the awarding of the following purchase order:

PINKERTON'S OF CANADA LTD., Hamilton, Ontario

In accordance with the specification provide a Security Service at Copps Coliseum for a one year period at \$7.31 Per Hour.

Selection of staff and hours of work will be co-ordinated with Supervisor of Security Services for Copps Coliseum.

NOTE: Lowest of 6 tenders. Funds provided in account 8360-1820.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following; the Mayor, the appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Term of Agreement shall be from November 15th, 1985 to December 31st, 1985, together with an option exercisable by the City to extend this agreement to either November 30, 1986 or November 30, 1987 or November 30, 1988.

The termination date for the initial term is set to coincide with the termination date of the budget for the year 1985. The option will require the approval of the new City Council after the municipal election is held.

14. That the City exercise its option to renew the contract for Security Services at the Copps Coliseum with Pinkerton's of Canada Ltd., as approved by Council, for the term of January 1st, 1986 to November 30th, 1986.
15. Approval of the awarding of the following purchase order:

FEDERATED BUILDING MAINTENANCE CO., Toronto, Ontario

In accordance with the specifications, provide a regular and event Cleaning Services at Copps Coliseum on a one year contract, with the City of Hamilton having the option to renew on an annual basis for no more than two years or on a month to month basis following the first twelve months.

Regular Cleaning - \$27 304 Per Year  
Event Cleaning - Hourly Rate - Light Duty \$6.40  
- Heavy Duty \$7.00  
- Supervisory \$7.50  
Administration Cost/Percentage 10%  
Profit/Percentage 10%  
Furnishing Non Recoverable Materials/Percentage 3%  
General Labour - Light Duty \$6.90 Per Hour  
- Heavy Duty \$7.00 Per Hour

**NOTE:** Only acceptable tender. Funds provided in account 8360-1037.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following; the Mayor, the appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council".

Term of Agreement shall be from November 18th, 1985 to December 31st, 1985, together with an option exercisable by the City to extend this agreement to either November 30, 1986 or November 30, 1987 or November 30, 1988 or to extend this agreement after November 30, 1986 on a month to month basis.

The termination date for the initial term is set to coincide with the termination date of the budget for the year 1985. The option will require the approval of the new City Council after the municipal election is held.

16. That the City exercise its option to renew the contract for Cleaning Maintenance at the Copps Coliseum with Federated Building Maintenance Co. Ltd., as approved by Council, for the term of January 1st, 1986 to November 30th, 1986, or November 30th, 1987 or November 30th, 1988, or to extend this agreement after November 30th, 1986 on a month to month basis.
17. That the City exercise its option to renew the contract for Maintenance of Ice Making Equipment at City Owned Arenas with Cimco Division of Toromont Ind. Ltd., as approved by Council June 26th, 1984, for the term December 1st, 1985 to November 30th, 1988, as follows:

Term from December 1st, 1985 to June 30th, 1987 \$62 300 Annually  
Term from July 1st, 1987 to November 30th, 1988 \$65 411 Annually

18. Approval of the awarding of the following order.

CRESCENT OIL, Hamilton, Ontario.

Supply and delivery of 1 Tank Wagon, approximately 10 230 Litres of Ethylene Glycol Base Anti-Freeze, including rust inhibitor in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at \$.97 per litre.....\$ 9 923.10  
Plus Ontario Retail Sales Tax..... 694.62

\$10 617.72

NOTE: Second lowest of 7 tenders. Funds provided in account 0332-0226

19. ZNIDAR BROS. INC., TORONTO, ONTARIO

Supply and deliver 1 - 1964 Sicard Junior Snowblower.....\$15 515.00  
Plus 7% Ontario Retail Sales Tax.

NOTE: Only supplier. Funds provided in Depreciation Account 0280-01

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following, the Mayor, the appropriate Committee Chairman, the Chief Administrative Officer and that any action taken under this provision to be reported to the next regular meeting of City Council".

20. That an order be placed with N.D.E. Service Group Inc. of Burlington for the non-destructive testing of two aerial ladders in accordance with specifications issued by the Director of Purchasing and the Vendor's tender for a total of \$63 670, all charges included.

NOTE: Only tender received. Funding provided through Depreciation Account 0280(03).

21. Approval of the awarding of the following purchase order:

BAY-KING MOTORS LTD., Hamilton, Ontario

Supply and delivery of One (1) Dodge B350 Royal Maxi-Wagon in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$18 214.26.

NOTE: Lowest of 5 tenders. Funds provided from Depreciation Account 0280-01.



22. Approval of the awarding of the following purchase order:

G. C. DUKE EQUIPMENT LTD., Burlington, Ontario

Supply and delivery of One (1) Athey/Mobil Street Sweeper Model ABD-2, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of.....\$112 900  
Less trade-in allowance on #9552, 1976 Elgin..... 6 000  
Price Less trade-in..... 106 900  
Ontario Retail Sales Tax 7% ..... 7 483  
License Transfer..... 5  
Total Net Price.....\$114 388

NOTE: Lower of 2 tenders. Funding provided in Depreciation Account 0280-01.

23. Approval of the awarding of the following purchase order:

HOLLAND CHEV. OLDS INC., Burlington, Ontario

Supply and delivery of One (1) Dual Purpose Vehicle in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Chev. Suburban Dual Purpose Vehicle..... \$16 748.25  
Less trade-in allowance on #1654, 1980 Chev. Suburban..... 2 500.00  
Price Less trade-in..... 14 248.25  
Ontario Retail Sales Tax 7% ..... 997.37  
License Transfer..... 5.00  
Total Net Price..... \$15 245.62

NOTE: Lower of 2 tenders. Funding provided in Depreciation Account 0280.

24. Approval of the awarding of the following purchase order:

WORK WEAR CORP. Toronto, Ontario

Supply and delivery of Workmen's Clothing in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the sum of.....\$21 753  
Ontario Retail Sales Tax Extra @ 7%.

NOTE: Lower of 2 acceptable tenders. Funds provided in account 0326-0123.

25. (a) That the City of Hamilton renew the Master Lease with the Regional Municipality of Hamilton-Wentworth for a period of three years commencing December 1st, 1985 and terminating November 30th, 1988; and



- (b) That the City of Hamilton renew the lease with the Hamilton-Wentworth Regional Health Unit at 74 Hughson Street South, save and except the first floor, Composite Building - Kenilworth Avenue North and 777 Upper Wentworth Street for a period of three years commencing December 1st, 1985 and terminating November 30th, 1988; and
- (c) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

**NOTE:** The Real Estate Department will proceed immediately to lease the first floor of the Health Building.

In addition to rent paid by the Region and the Board of Health, they are both responsible for their proportionate share of the increase in operating costs over the Base Year of 1985.

All amounts payable shall be deemed to be additional rent.

The Rent Schedules for the aforementioned renewals are calculated as appended hereto.

- 26. (a) That the City pay John E. Sodergard \$1 000 for a Quit Claim Deed regarding 999 Lawrence Road releasing all his interest therein plus \$475 for his legal fees; and
  - (b) That the City refund to Mr. Sodergard the \$1 724.98 in realty taxes he paid in 1984 and 1985 regarding 999 Lawrence Road plus simple interest at the rate of 10 per cent per annum thereon from date of payment by Mr. Sodergard to date of repayment by the City.
27. That the claim of Lynda Winter against the City be settled in the amount of \$2 000 inclusive of interest and costs.

**NOTE:** "On August 12, 1985, Lynda Winter fell on the City sidewalk on the east side of James Street South between King Street and Main Street. She suffered injury to her foot, knees, back, right elbow and right shoulder.

28. That the claims of Katharine Battiss be settled in the amount of \$6 000 inclusive of interest and costs.

**NOTE:** "By County Court writ issued May 5, 1985, Katherine Battiss commenced action against the City and the Region. In her action she claimed damages totalling \$10 000 plus interest and costs when she fell on the snow and ice covered sidewalk adjacent to a City owned lot at 101 Ferguson Avenue South on March 5, 1982."

29. That the claims of Jeff Fraser and his father and mother, being Donald and Gloria Fraser, be settled in the amount of \$5 900 inclusive of interest and costs.

**NOTE:** "By County Court writ issued December 22, 1983, Donald Fraser on behalf of himself, his son Jeff and his wife Gloria commenced action against the City and Margaret Smith. Jeff Fraser fell some 12 feet off a planter at the Art Gallery plaza onto some cement steps during the 10th anniversary celebrations for Hamilton Place. He was 12 years old at the time and broke both wrists as well as suffering an injury to his head. He still suffers from severe headaches at times.

30. That the claims of Valenteena Louise Sweeting and William Steven Joseph Sweeting be settled in the amount of \$5 000 inclusive of interest and costs and The Royal Bank of Canada contributing \$2 500.

**NOTE:** "By County Court writ issued February 14, 1984 Valenteena Louise Sweeting and William Stephen Joseph Sweeting commenced action against the City, the Region and The Royal Bank of Canada for damages Mrs. Sweeting suffered when she fell near the bus stop in front of The Royal Bank of Canada on James Street on a small patch of ice, breaking her ankle.

31. That the claims of Silvia Sgro against the City be settled in the amount of \$2 250 inclusive of interest and costs.

**NOTE:** Mrs. Sgro was a passenger in a motor vehicle that was rear-ended by a City vehicle on January 18, 1985 on John Street South at or near its intersection with St. Joseph's Drive. She suffered injury to left anterior chest wall as well as her back. She was approximately seventeen weeks pregnant at the time and was quite anxious for her baby. However, the baby was born without injury or complication.

32. (a) That Item 1(a) of the Fifth Report of the Finance Committee adopted by City Council at its meeting of March 12, 1985 be rescinded; and
- (b) That the total amount of the City's judgment against Vincenzo Malatesta and Savio Contracting Limited be \$9 245.14 (\$6 052.78 principal plus interest to date of judgment) plus costs of \$125 be collected plus interest at a reduced rate of 12% per annum from date of judgment to date of payment (the judgment presently bears interest at the rate of 20% per annum.)

33. That the Treasurer be authorized to make application to hire a trainee under the Ontario Municipal Training Program - 1986 for a two year period commencing June 30, 1986 and expiring June 30, 1988.

34. That the Treasurer be authorized to make application to hire two students under the Involvement in Municipal Administration Program - 1986 for an 18-week period commencing April 28, 1986 and terminating August 29, 1986.

35. That the Mayor, Chief Administrative Officer and the Treasurer be authorized to approve current budget transfers, overdrafts and contingency transfers for the balance of December 1985, provided that a list of all such transactions is compiled for the approval of the appropriate Standing Committee and/or City Council in early 1986.

**NOTE:** In order that City finances can proceed in an orderly fashion for the balance of December 1985, it is being requested that the Chief Administrative Officer and the Treasurer be authorized to approve over-budget items on the understanding that such information would be formally approved by the appropriate Standing Committee and/or City Council in early 1986.

36. That the five member Depreciation Committee for the present term of Council, commencing December 1, 1985, be comprised of two members of the Finance Committee to be appointed, the Director of Purchases, Supervisor of the City Garage, and the Treasurer who will act as Chairman.

**NOTE:** The Chairman of the Finance Committee and Alderman Ross were appointed by the Finance Committee to sit on the Depreciation Committee.

Traditionally this subcommittee has been comprised of the persons filling the positions as described in the above recommendation. In addition, the Treasury Department has provided the Secretary for the Committee who will be Mr. D. J. King, Supervisor of Accounting.

37. That the eight member Capital Budget Committee for the present term of Council, commencing December 1, 1985, be comprised of the Chairman and Vice-Chairman of the Finance Committee, the Chief Administrative Officer, the Director of Public Works, the Director of Culture and Recreation, the City Solicitor, the City Architect and Co-ordinator, Lloyd D. Jackson Square and the Treasurer who will act as Chairman.

**NOTE:** Traditionally this subcommittee has been comprised of the persons filling the positions as described in the above recommendation. In addition, the Treasury Department has provided the Secretary for the Committee who will be Mr. B. Hotrum, Treasury Officer IV, (Capital Budget Supervisor).



38. That the user fee for purchase of bus passes and tickets for Group "B" - Unemployed Persons be increased from \$20 to \$22 per month (bus pass) and .50¢ to .55¢ (tickets) effective for the sale of passes for January 1986 and tickets January 1, 1986.
39. That the user fee for purchase of bus passes and tickets for Group "A" - Disabled and Handicapped Persons be increased from \$20 to \$22 per month (bus passes) and .50¢ to .55¢ (tickets) effective for the sale of passes for January 1986 and tickets January 1, 1986.
40. That leave be granted to introduce the following bills:
- (a) F-1 By-law to Amend By-law No. 85-183 Respecting Additional Expenditure - Replacement of Ice-Making System at Inch Park.
  - (b) F-2 By-law to Confirm proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

ALDERMAN P. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

R. C. Prowse, Secretary  
Attach.

1985 December 05



RENT COMPUTATIONS

CITY HALL

PLANNING DEPARTMENT

		<u>1986</u>	<u>1987</u>	<u>1988</u>
<u>1986</u> -	Dec.1st,1985 to Nov.30th,1986			
(a)	7th Floor - West Wing - 6,171 sq.ft.			
	6,171 sq.ft. @ \$9.50 per sq.ft.			
	Per Annum	\$58,624.50		
<u>1987</u> -	Dec.1st,1986 to Nov.30th,1987			
(b)	7th Floor - West Wing - 6,171 sq.ft.			
	6,171 sq.ft. @\$10.00 per sq.ft.			
	Per Annum		\$61,710.00	
<u>1988</u> -	Dec.1st,1987 to Nov.30th,1988			
(c)	7th Floor - West Wing - 6,171 sq.ft.			
	6,171 sq.ft. @\$10.50 per sq.ft.			
	Per Annum			\$64,795.50

ENGINEERING DEPARTMENT

		<u>1986</u>	<u>1987</u>	<u>1988</u>
<u>1986</u> -	Dec.1st,1985 to Nov.30th,1986			
(a)	7th Floor-East Wing-2,858 sq.ft.			
	2,858 sq.ft.@ \$9.50 per sq.ft.			
	Per Annum	\$ 27,151.00		
(b)	6th Floor-Full Floor-9,029 sq.ft.			
	9,029 sq.ft.@ \$9.50 per sq.ft.			
	Per Annum	\$ 85,775.50		
(c)	5th Floor-East Wing-2,768 sq.ft.			
	2,768 sq.ft.@ \$9.50 per sq.ft.			
	Per Annum	\$ 26,296.00		
(d)	4th Floor-Jointly by City and Region- 800 sq.ft.			
	800 sq.ft. @ \$4.75 per sq.ft.			
	Per Annum	\$ 3,800.00		
Total Engineering Department for 1986		\$143,022.50		
Total 1986 Rental Space in City Hall		\$201,647.00		
<u>1987</u> -	Dec.1st,1986 to Nov.30th,1987			
(a)	7th Floor-East Wing-2,858 sq.ft.			
	2,858 sq.ft.@ \$10.00 per sq.ft.			
	Per Annum		\$ 28,580.00	
(b)	6th Floor-Full Floor-9,029 sq.ft.			
	9,029 sq.ft.@ \$10.00 per sq.ft.			
	Per Annum		\$ 90,290.00	
(c)	5th Floor-East Wing-2,768 sq.ft.			
	2,768 sq.ft.@ \$10.00 per sq.ft.			
	Per Annum		\$ 27,680.00	

(d)	4th Floor-Jointly by City and Region - 800 sq.ft. 800 sq.ft. @ \$ 5.00 per sq.ft. Per Annum	\$ 4,000.00
Total Engineering Department for 1987		\$150,350.00
Total 1987 Rental Space in City Hall for 1987		\$212,260.00

#### ENGINEERING DEPARTMENT

<u>1988 -</u>		<u>1988</u>
(a)	Dec.1st,1987 to Nov.30th,1988 7th Floor-East Wing-2,858 sq.ft. 2,858 sq.ft.@ \$10.50 per sq.ft. Per Annum	\$ 30,009.00
(b)	6th Floor-Full Floor-9,029 sq.ft. 9,029 sq.ft.@ \$10.50 per sq.ft. Per Annum	\$ 94,804.50
(c)	5th Floor-East Wing-2,768 sq.ft. 2,768 sq.ft.@ \$10.50 per sq.ft. Per Annum	\$ 29,064.00
(d)	4th Floor-Jointly by City and Region - 800 sq.ft. 800 sq.ft. @ \$ 5.25 per sq.ft. Per Annum	\$ 4,200.00
Total Engineering Department in City Hall for 1988		\$158,077.50
Total 1988 Rental Space in City Hall for 1988		\$222,873.00

#### CENTRAL SERVICES BUILDING

#### REGIONAL WATERWORKS MAINTENANCE

<u>1986 -</u>		<u>1986</u>	<u>1987</u>	<u>1988</u>
(a)	Dec.1st,1985 to Nov.30th,1986 Outside Yard Space-9,625 sq.ft. 9,625 sq.ft.@ 22¢ per sq.ft. Per Annum \$ 2,117.50			
(b)	Main Workshop Area-11,760 sq.ft. 11,760 sq.ft.@ \$2.60 per sq.ft. Per Annum \$30,576.00			
(c)	Mezzanie Storage Area-1,160 sq.ft. 1,160 sq.ft.@ \$2.60 per sq.ft. Per Annum \$ 3,016.00			
(d)	Offices,Lunch Room & Washroom Area - 2,205 sq.ft. 2,205 sq.ft.@ \$2.60 per sq.ft. Per Annum \$ 5,733.00			

(e) Space for overnight parking of  
 20 vehicles indoors-4,500 sq.ft.  
 4,500 sq.ft.@ \$2.50 per sq.ft.  
 Per Annum \$11,250.00

Total for Waterworks Maintenance  
 for 1986 \$52,692.50

REGIONAL WATERWORKS MAINTENANCE

<u>1987 -</u>	<u>1987</u>	<u>1988</u>
(a) Dec.1st,1986 to Nov.30th,1987 Outside Yard Space-9,625 sq.ft. 9,625 sq.ft.@ 25¢ per sq.ft. Per Annum	\$ 2,406.25	
(b) Main Workshop Area-11,760 sq.ft. 11,760 sq.ft.@ \$2.75 per sq.ft. Per Annum	\$32,340.00	
(c) Mezzanie Storage Area-1,160 sq.ft. 1,160 sq.ft. @ \$2.75 per sq.ft. Per Annum	\$ 3,190.00	
(d) Offices, Lunch Room & Washroom Area - 2,205 sq.ft. 2,205 sq.ft. @ \$2.75 per sq.ft. Per Annum	\$ 6,063.75	
(e) Space for overnight parking of 20 vehicles indoors-4,500 sq.ft. 4,500 sq.ft. @ \$2.75 per sq.ft. Per Annum	<u>\$12,375.00</u>	
Total for Waterworks Maintenance for 1987	<u>\$56,375.00</u>	

<u>1988 -</u>		
(a) Dec.1st,1987 to Nov.30th,1988 Outside Yard Space-9,625 sq.ft. 9,625 sq.ft.@ 27¢ per sq.ft. Per Annum		\$ 2,598.75
(b) Main Workshop Area-11,760 sq.ft. 11,760 sq.ft.@ \$3.00 per sq.ft. Per Annum		\$35,280.00
(c) Mezzanie Storage Area-1,160 sq.ft. 1,160 sq.ft. @ \$3.00 per sq.ft. Per Annum		\$ 3,480.00
(d) Offices,Lunch Room & Washroom Area - 2,205 sq.ft. 2,205 sq.ft. @ \$3.00 per sq.ft. Per Annum		\$ 6,615.00
(e) Space for overnight parking of 20 vehicles indoors-4,500 sq.ft. 4,500 sq.ft. @ \$3.00 per sq.ft. Per Annum		<u>\$13,500.00</u>
Total for Waterworks Maintenance for 1988		<u>\$61,473.75</u>



KENILWORTH AVENUE NORTH COMPOSITE BUILDING

REGIONAL POLICE DEPARTMENT

<u>1986 -</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>
(a) Dec.1st,1985 to Nov.30th, 1986			
First Floor - 4,393 sq.ft.			
@ \$5.75 per sq.ft. Per Annum	\$25,259.75		
(b) Second Floor - 3,062 sq.ft.			
@ \$5.75 per sq.ft. Per Annum	\$17,606.50		
(c) Basement - 1,125 sq.ft.			
@ \$1.59 per sq.ft. Per Annum	\$ 1,788.75		
(d) Garages - 1,239 sq.ft.			
@ \$1.32 per sq.ft. Per Annum	\$ <u>1,635.48</u>		
Total Regional Police Department for 1986	<u>\$46,290.48</u>		
<u>1987 -</u>			
(a) Dec.1st,1986 to Nov.30th,1987			
First Floor - 4,393 sq.ft.			
@ \$5.75 per sq.ft. Per Annum		\$25,259.75	
(b) Second Floor - 3,062 sq.ft.			
@ \$5.75 per sq.ft. Per Annum		\$17,606.50	
(c) Basement - 1,125 sq.ft.			
@ \$1.59 per sq.ft. Per Annum		\$ 1,788.75	
(d) Garages - 1,239 sq.ft.			
@ \$1.32 per sq.ft. Per Annum		\$ <u>1,635.48</u>	
Total for Regional Police Department for 1987		<u>\$46,290.48</u>	
<u>1988 -</u>			
(a) Dec.1st,1987 to Nov.30th,1988			
First Floor - 4,393 sq.ft.			
@ \$6.00 per sq.ft. Per Annum			\$26,358.00
(b) Second Floor - 3,062 sq.ft.			
@ \$6.00 per sq.ft. Per Annum			\$18,372.00
(c) Basement - 1,125 sq.ft.			
@ \$1.75 per sq.ft. Per Annum			\$ 1,968.75
(d) Garages - 1,239 sq.ft.			
@ \$1.40 per sq.ft. Per Annum			\$ <u>1,734.60</u>
Total for Regional Police Department for 1988			<u>\$48,433.35</u>



CITY LEASE TO HAMILTON-WENTWORTH REGIONAL HEALTH UNIT

74 Hughson Street South  
15 Hunter Street East  
Kenilworth Avenue North Composite Building  
Upper Wentworth Composite Building - 777 Upper Wentworth Street

<u>1986 -</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>
(a) Dec.1st,1985 to Nov.30th,1986 Kenilworth Avenue North-First Floor 1,484 sq.ft. @ \$5.53 per sq.ft. Per Annum \$ 8,206.52			

\*Note: Rate reflects cost of parking.  
Health Department are responsible to reimburse  
Hamilton Parking Authority for parking.

(b) 74 Hughson Street S.  
(15 Hunter St.E.)  
First Floor - 5,032.75 sq.ft.  
to be vacated end of Dec.'85.  
Health Unit to be Monthly Tenant  
based on \$7.75 per sq.ft.

Second Floor & Third Floor  
13,622 sq.ft. @ \$7.25 per sq.ft.  
Per Annum \$98,759.50

(c) Upper Wentworth Composite Bldg.  
6,200 sq.ft. @ \$5.75 per sq.ft.  
Per Annum \$35,650.00

Total for Regional Health for 1986 \$142,616.02

Note: This amount does not include First Floor of  
74 Hughson St.W.

<u>1987 -</u>		
(a) Dec.1st,1986 to Nov.30th, 1987 Kenilworth Avenue North-First Floor 1,484 sq.ft. @ \$5.60 per sq.ft. Per Annum		\$ 8,310.40

(b) 74 Hughson St.S.(15 Hunter St.E.)  
Second and Third Floors - 13,622 sq.ft.  
13,622 sq.ft. @ \$7.50 per sq.ft.  
Per Annum \$102,165.00

	<u>1986</u>	<u>1987</u>	<u>1988</u>
<u>1987-</u>			
(c) <u>Upper Wentworth Composite Bldg.</u>			
6,200 sq.ft. @ \$6.00 per sq.ft.			
Per Annum		\$ 37,200.00	
Total for Regional Health for 1987		\$147,675.40	
 <u>1988 -</u>			
(a) Dec.1st,1987 to Nov.30th,1988			
<u>Kenilworth Avenue North</u>			
First Floor - 1,484 sq.ft.			
1,484 sq.ft. @ \$5.75 per sq.ft.			
Per Annum			\$ 8,533.00
(b) <u>74 Hughson St.S. (15 Hunter St.E.)</u>			
Second and Third Floors - 13,622 sq.ft.			
13,622 sq.ft. @ \$7.75 per sq.ft.			
Per Annum			\$105,570.50
(c) <u>Upper Wentworth Composite Bldg.</u>			
6,200 sq.ft. @ \$6.00 per sq.ft.			
Per Annum		\$ 37,200.00	
Total for Regional Health for 1988			\$151,303.50









REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its FOURTH Report for 1985 and respectfully recommends:

1. That City of Hamilton Body-Rub Parlour Owner Licence No. 6, held by Mike Zaborski (Delta Steam Bath), at 1285 Main Street East, be revoked.

For the information of members of Council:

Mike Zaborski (Delta Steam Bath), appeared before the City of Hamilton Licensing Committee at its meeting held October 29, 1985 to show cause why his licence should not be suspended or revoked due to the following By-law Court convictions:

November 21, 1984 - Allow an unlicensed body rubber

August 23, 1985 - Permit an unlicensed body rubber

and the following criminal conviction:

September 10, 1985 - Being a landlord, permit a Common Bawdy House

At the hearing the licensee was represented by his solicitor. Evidence was submitted concerning the above convictions and representations were made by the licensee's solicitor. After discussion by members of the Licensing Committee, it was decided to recommend that the licence be revoked.

Respectfully submitted,

ALDERMAN F. A. LOMBARDO  
CHAIRMAN

S. J. Dembe, Secretary  
October 29, 1985



CA4 ONHBL A05  
A31

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

HAMILTON PUBLIC LIBRARY

## MEETING OF THE COUNCIL

JAN 13 1986

## OF THE CORPORATION OF THE CITY OF HAMILTON

GOVERNMENT DOCUMENTS

Tuesday, 1986 January 14  
7:30 o'clock p.m.  
Council Chambers, City Hall

\* 7:00 o'clock p.m., Nominating Committee, Council Chambers

### A G E N D A

1. Prayer - Canon John Rathbone, All Saints Anglican Church,  
Queen Street South
2. Presentations
  - (a) Pre-Confederation Archives - Public Archives of  
Canada
3. Proclamation - National Non-Smoking Week
4. Minutes of the Meeting held 1985 December 10.
5. Correspondence
  - (a) Letter dated December 23, 1985 from Stephen  
Martin Frankel, Solicitor, attached.
6. Reports of Standing Committees - attached:
  - (A) Executive Committee
  - (B) Transport and Environment Committee
  - (C) Parks and Recreation Committee
  - (D) Planning and Development Committee
  - (E) Legislation Committee
  - (G) Finance Committee
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question period
11. Adjournment.





C O R R E S P O N D E N C E



STEPHAN MARTIN FRANKEL, B.A., LL.B.

*Barrister, Solicitor, Notary Public*

SUITE 502

20 HUGHSON STREET SOUTH

HAMILTON, ONTARIO L8N 2A1

(416) 522-3972

December 23, 1985

The Regional Municipality  
of Hamilton-Wentworth  
Department of Transportation  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

Attention: C. Harason

Dear Sir:

Re: Grapes and Things Proposed Increase of  
Outdoor Boulevard Cafe, 103 King St. E.  
Our File No. 364/85  
Your File No. T103-69(4)

FILE NO. T103-69(4)	
LETTER NO. R789-54	
DEPT. OF ENGINEERING	
DEC 31 1985	
ROUTE	RECD BY
ENV. SER.	
ENG. SER.	
TRANS. SER.	ANS. BY
REG. SURV.	FILED BY
LAB	
OM.	

I acknowledge receipt and thank you for your letter of December 13th, 1985.

I do note however that you make reference to Mr. Franco's letter and enclose a copy of same, however his letter further makes reference to the Commissioner's report and recommendations which are not enclosed. I would appreciate copies of same forthwith.

I would further expect to receive additional notice and an opportunity to present our position before City Council. I would ask that you please confirm that this will be on the 14th of January 1986, and the approximate time.

I look forward to hearing from you prior to that date, and trust that the City Council will not conduct this matter prior to providing me with such notice.

I should say once again, that I am quite shocked and somewhat annoyed, that the application presented on behalf of Grapes and Things would be processed, in such a fashion. Not only had the engineering services committee had a special meeting held November 19th, considered the application without allowing or affording my office an opportunity to make representations on





December 23, 1985

behalf of my client, but further you indicate that my letter was sent to Mr. Jay Thompson, Secretary of the Planning and Development Committee for his attention, but that in fact this committee had already dealt with the application and recommended this to be forwarded to City Council.

I have still not received an appropriate explanation for why in fact my requests appear to be ignored, and would appreciate hearing from you forthwith.

Yours truly,



STEPHAN MARTIN FRANKEL

SMF:pr

cc. J. Thompson ✓  
Secretary of Planning and Development Committee

R.M. Plant ✓  
City Solicitor

Mayor Bob Morrow ✓

City Council ✓







3. (a) Approval of the actions of the Executive Committee in authorizing the Mayor to officially notify Basketball Canada of the Corporation of the City of Hamiltons interest and desire to host the 1990 World Basketball Championships.
- (b) That a Steering Committee be established to prepare the Citys bid and an appropriate budget.

NOTE: The 1990 World Basketball Championships which will be held in July 1990 will involve 16 teams in total. In addition, to the tournament the hosting of this event will involve the FIBA World Congress with an estimated attendance of approximately 200 people from throughout the world.

4. (a) An appropriation in the total amount of \$200 000 be established for the architectural, mechanical and electrical modifications necessary for the upgrading of the Club Lounge area in the Trade Centre/Arena.
- (b) That the Finance Committee be requested to recommend the method of financing.

NOTE: In February, 1985, the Trade Centre/Arena staff submitted a listing of items to the Trade Centre/Arena Construction Sub-Committee for inclusion in the 1985 Capital Budget. Included therein, was an allocation of \$200 000 for architectural, mechanical and electrical modifications/requirements necessary for the upgrading of the Club Lounge area. This item was not formally approved at that time, since the actual requirements were not known. It is the owners responsibility to provide basic architectural, mechanical and electrical services in order that the concessionaire may finish and furnish this area.

5. Approval of the following Change Orders for the Trade Centre/Arena:

i) Pigott Construction Company Ltd. (increase to original contract).....	\$697 575
ii) Parkin Partnership Architects.....	\$ 44 250
TOTAL	<u>\$741 825</u>
	=====

NOTE: The detailed breakdown of the additional costs of \$741 825 (forwarded to the members of City Council under separate cover) was part of the total cost of \$941 825 previously approved by City Council with the adoption of Section 1 of the Sixteenth Report of the Parks and Recreation Committee on September 10, 1985. The financing of this cost was also approved by City Council on September 10, 1985 with the adoption of Section 1 of the Fifteenth Report of the Finance Committee.

The \$200 000 difference between the additional cost of \$741 825 and the total cost of \$941 825 is for the electronic signboard. This amount is to be tendered separately through the purchasing system by the City Architect.

6. That each current members of City Council and each member of the Board of Directors of Hamilton Entertainment and Convention Facilities Inc. be issued with a pass which will permit them access to any of the facilities managed and operated by H.E.C.F.I. (Hamilton Place Theatre, Copps Coliseum and the Hamilton Convention Centre) on behalf of the Corporation of the City of Hamilton.

7. (a) That inasmuch as the Executive Committee along with Alderman T. Murray is now responsible for the 1986 FCM Conference to be held in Hamilton, Mr. J. J. Schatz, Secretary of the Executive Committee be designated the Local Conference Co-ordinator.

Temporary additional assistance will be required in the City Clerk's Office.

- (b) That a greater number of City and Regional staff be recruited to assist with conference projects and programmes.
- (c) That progress reports on conference planning be made twice monthly.
- (d) That a fund raising team of councillors and staff be established to solicit sponsorships, service in kind, contributions from governments, other municipalities, public and private businesses to help defray the costs of holding the Conference.

NOTE: Forwarded to the Members of City Council under separate cover were copies of a memorandum dated January 8, 1986 from Mayor R. M. Morrow to the Executive Committee outlining the status of the 1986 FCM Conference.

8. Recommendation on Standing Committee Report:

Legislation Committee - Item 5

Members of City Council are advised that with respect to Item 5 of the Second Report of the Legislation Committee for 1986, the Legislation Committee has also initiated a complete review of By-law 9396 - The Retail Gasoline Early Closing By-Law. In this regard, a public meeting is being arranged and comments are being solicited from the appropriate government/public agencies.

Respectfully Submitted

Mayor R. M. Morrow, Chairman  
Executive Committee

J. J. Schatz, Secretary  
Executive Committee  
1985 December 19  
1986 January 9







REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SECOND Report for 1986 and respectfully recommends:

1. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Westmount Apartments for the collection of garbage at 1856 Main Street West.

NOTE: The agreement will require the applicant to indemnify and save the City harmless against any loss, and to maintain and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-law No. 66-182 provides for such collection.

2. That an Option to Purchase the lands required for the one foot reserves and part of the road allowance for Courtland Avenue executed by G. Borgacci, President, Ortega Properties Limited on November 21, 1985 and scheduled for closing on or before March 25, 1986, be approved and completed.

NOTE: These lands are required to establish the one foot reserves and part of the road allowance for Courtland Avenue and are being purchased for the sum of \$1. The subject lands are shown as Parts 1 to 8 on Plan 62R-7743.

3. That an Option to Purchase lands on the south west corner of Limeridge Road and Upper Wellington, executed by the owner, Hamilton Builders Supply Limited on November 22nd, 1985, and scheduled for closing on or before March 25th, 1986, be approved and completed.

NOTE: This property is required for intersection improvement at Limeridge and Upper Wellington and comprises an area of  $41.27\text{m}^2$  (4.400 sq.ft. more or less) tapering from a daylight corner, westerly for a distance of 122m (400 ft. more or less).

The purchase price is \$1 plus \$250 for legal fees which is to be charged to Account No. 0280-02.

4. That an Offer to Purchase surplus City owned lands on the north east corner of Pottruff Road at King Street East, executed by William Robert Sinclair on January 8th, 1986, and scheduled for closing on July 2, 1986, be accepted and completed.

NOTE: This property fronts on King Street easterly from Pottruff Road for a distance of approximately 43m (144 ft.) and comprises an area  $951.3\text{m}^2$  (10 236 sq.ft. more or less).

The property is being purchased for proposed development of a medical centre, at a price of \$121 500, the proceeds of which will be charged to account no. 0280-02.

5. That an Offer to Purchase surplus City owned land on the south east corner of King Street East at Greenhill Avenue executed by 596361 Ontario Limited on December 20th, 1985 and scheduled for closing on August 14th, 1986 be accepted.

NOTE: This irregular parcel of land having a frontage of approximately 57.437 metres (188 feet) along the easterly limits of Greenhill Avenue by a depth of not more than 8.692 metres (29 feet) is being purchased at a price of \$8 494 the proceeds of which will be credited to Account No. 0280-02.

A deposit cheque in the amount of \$850 is being held by the City Treasurer pending Council approval.

This Offer to Purchase is subject to the following provisions:

- (a) That the closing of this transaction by the City of Hamilton is conditional upon the purchaser 596361 Ontario Limited having completed the purchase of the adjacent lands to the East known as 2804 King Street East, Hamilton.
- (b) That the closing of this transaction by the purchaser is conditional upon the purchaser having obtained approval of a zoning change to Commercial 'HH' for the said 2804 King Street East together with the subject parcel of land described as Part 1 on Reference Plan 62R-6769.
- (c) That the acceptance of this offer by City Council will serve as authorization by the City for the purchaser 596361 Ontario Limited to make application for the said zoning change on the lands described as Part 1 on Reference Plan 62R-6769.

- (d) That the City of Hamilton will pass a By-law incorporating into Greenhill Avenue the one foot parcel forming the easterly limits of Greenhill Avenue measuring 65.916 metres (216 feet) southerly from King Street and more particularly described as Part 7 and Part 8 of Reference Plan 62R-6380 providing the purchaser has paid in full all outstanding municipal costs for land and services relative to the one foot parcel. Said costs amount to \$25 262.47.
6. That the application of Mr. M. Mihailovich on behalf of the owner of 108 Edgemont Street North, U.N.H. Incorporation of Ciere, to retain the following inadvertent encroachment on the road allowance consisting of concrete steps, 0.19m (0.62') by 1.2m (4.0'), be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
7. That the application of Mr. M. Mihailovich on behalf of the owner of 216 Belmont Street North, U.N.H. Incorporation, to retain the following inadvertent encroachment on the road allowance consisting of concrete steps, 0.70m (2.3') by 1.52m (5.0'), be approved, during the pleasure of City Council, provided:
- (a) The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
8. That the application of Mr. F. Jaksa on behalf of the owners of 42 Harmony Avenue, Joseph and Agnes Nezezon, to retain the following inadvertent encroachment on the road allowance consisting of a two and one half (2 1/2) storey frame dwelling 0.08m of Hope Avenue (0.27') by 10.67m (35.0') be approved, during the pleasure of City Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.



- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
9. That the application of Mr. W. P. Mackesy on behalf of the owner of 414 MacNab Street North, McGivney Community Homes Inc., to retain the following inadvertent encroachment on the road allowance, consisting of a concrete veranda 2.74m (9.0') by 0.62m (2.05') be approved, during the pleasure of Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
10. That the application of Mr. W. P. Mackesy on behalf of the owner of 247 Mary Street, McGivney Community Homes Inc., to retain the following inadvertent encroachment on the road allowance, consisting of a stoop 0.79m (2.60') by 1.52m (5.0'), be approved, during the pleasure of Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
11. That the application of Mr. W. P. Mackesy on behalf of the owner of 79 Augusta Street, McGivney Community Homes Inc., to retain the following inadvertent encroachment on the road allowance, consisting of a porch 0.02m (0.08') by 1.83m (6.0'), be approved, during the pleasure of Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

12. That the application of Mr. W. P. Mackesy on behalf of the owner of 111 Ray Street North, McGivney Community Homes Inc., to retain the following inadvertent encroachment on the road allowance, consisting of concrete steps, 0.85m (2.78') by 0.91m (2.99'), be approved, during the pleasure of Council, provided:
- (a) The owners enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
13. That the application of Mr. R. T. Hamel, on behalf of the owners of 42 Head Street, Brian and Ann-Marie Burnside, to retain the following inadvertent encroachments on the road allowance consisting of a veranda 0.19m (0.63') by 1.80m (5.91') and front steps 1.22m (4.0') by 1.37m (4.5'), be approved, during the pleasure of City Council, provided that:
- (a) The owner(s) enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - (b) An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
14. (a) That sidewalks in new subdivisions shall be installed on both sides of all streets except as outlined below; and
- (b) That sidewalks shall not be mandatory on cul-de-sacs or crescents with thirty or fewer residential units except when these streets are used for through pedestrian access, in which case there shall be a sidewalk on at least one side; and
  - (c) That sidewalks shall be installed on at least one side on cul-de-sacs and crescents with more than thirty residential units; and
  - (d) That when sidewalks are required on one side only, the side shall be chosen by staff upon consideration of the location of such things as bus stops, schools, parks and commercial sites in the vicinity; and

- (e) That in instances where sidewalks are required on one side of a street which has different owners/developers on each side and development of the side with the sidewalk precedes the other side, the City shall bear 50% of the cost of the sidewalk and recover this cost when the other side is developed. When development of the side without the sidewalk precedes the other side, the City shall collect 50% of the estimated cost of the sidewalk, at the time of the execution of the subdivision agreement, and when the sidewalk is built, the City shall bear 50% of the cost of the sidewalk; and
- (f) That subdividers agree in their subdivision agreements with the City to inform every prospective lot purchaser of those streets, cul-de-sacs or crescents within the subdivision which do not or will not have sidewalks; and
- (g) That underground wiring, street lighting and hydrants shall be installed on the no-walk side of all streets.

NOTE: A crescent shall be defined as a curvilinear street which is connected at each end to the same street and does not have any other streets intersecting it.

- 15. (a) That the following changes be made in the charges per tonne of overload:

<u>Type of Vehicle</u>	<u>Per Metric Tonne</u>		<u>%Change</u>
	<u>Current Charge</u>	<u>Proposed Charge</u>	
Tractor Trailer	\$ 70	\$73	4%
Single Unit Truck	\$117	\$122	4%

- (b) That Section 7, Subsection 6(b) of the Traffic By-law No. 66-100 be revised to read as follows:

"that payment has been made to the treasurer of a fee as may be determined from time to time by Council for each tonne in excess of the registered gross weight of the truck in the case of a single unit truck and for each tonne in excess of the registered gross weight of the tractor trailer in the case of a tractor trailer".

- (c) That the annual overload permit fees be reviewed each year.

- 16. (a) That the Commissioner of Transportation be authorized and directed to issue requisitions to the Canadian National Railway (CN Rail) for \$17 000 and to the Toronto, Hamilton and Buffalo Railway (T.H. & B.) for \$24 600 to cover the shortfall for Railway Crossings - General Maintenance; and



- (b) That the Finance Committee determine the method of financing the additional \$34 500 required for Railway Crossing Maintenance Account #0352-0361.

17. That the Commissioner of Transportation be authorized to issue "Street Occupation Permits" to sign company applicants requesting permission to acquire a Local Roads Street Occupation Permit for 1986. The applicant's vehicles will be permitted to occupy the roadway and boulevard portions of the road allowance excluding sidewalks, bus stop areas adjacent to fire hydrants, for sign erection, cleaning and maintenance purposes only, provided that:

- (a) The applicant(s) comply with all the requirements of Streets By-Law No. 9329; and
- (b) The applicant(s) agree not to occupy any part of the roadway during peak traffic periods in contravention of signed No Stopping Zones, either permanent or time-regulated restrictions; and
- (c) The applicant(s) obtain approval from the Commissioner of Transportation, for any work required to be carried out in bus stop areas, prior to commencing his work; and
- (d) If the applicant(s) are unable to perform his operations without parking a vehicle on the sidewalk or boulevard, the following conditions are mandatory:
  - (i) Prior to commencing his works, he must acquire a "Barricading Permit", from the Traffic Department, City of Hamilton.
  - (ii) Place wood planking, minimum thickness 50mm, over the sidewalk/boulevard for load bearing distribution and protection.
  - (iii) During his operations, maintain a minimum width of 1.5m of unimpeded sidewalk or boulevard.
- (e) The applicant(s) in writing indemnifies and saves the City of Hamilton harmless from all actions, causes of action, interests, claims, demands, costs, damages, expenses and loss; and
- (f) The applicant(s) provide proof of public liability insurance to the Commissioner of Transportation in the amount of \$1 000 000 naming the City of Hamilton as an added insured party with a provision for cross liability.

18. (a) That a stop sign be erected to control northbound traffic on Flora Drive at Dover Drive; and



- (b) That a stop sign be erected to control northbound traffic on Teresa Street at Dover Drive.
- 19. (a) That a three-way stop control be implemented at the intersection of Thorner Drive and Deerborn Drive; and
  - (b) That a stop sign be erected to control westbound traffic on Jasmine Street at Deerborn Drive.
- 20. That a stop sign be erected to control northbound traffic at the westerly intersection of Vittorito Avenue and Capri Crescent.
- 21. (a) That the Inch Park Neighbourhood be designated as a Neighbourhood Watch Area; and
  - (b) That Neighbourhood Watch signs for the Inch Park Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active neighbourhood watch program as determined by the Regional Police Department; and
  - (c) That the necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).
- 22. (a) That the Kirkendall South Neighbourhood be designated as a Neighbourhood Watch Area; and
  - (b) That Neighbourhood Watch signs for the Kirkendall South Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active neighbourhood watch program as determined by the Regional Police Department; and
  - (c) That the necessary funds be charged to Account No. 0345-6060 (Neighbourhood Watch Program).
- 23. (a) That a "Permit Parking" regulation be implemented on the south side of Lloyd Street, commencing at a point 267 feet west of Gage Avenue North and extending to Chapple Street; and
  - (b) That the Director of Traffic Services be authorized to issue one parking permit to one vehicle registered to each of the nine abutting residential properties, and up to five additional permits on a first-come first-served basis.
- 24. That stopping be prohibited on both sides of Napier Street between Caroline Street North and the easterly end of the street.

25. That the existing stopping prohibition on the north side of Dunsmure Road, which commences at Ottawa Street North and extends to a point 87 feet easterly therefrom be rescinded.
26. That a "Commercial Vehicle Loading Zone, 8:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of George Street commencing at a point 56 feet east of Hess Street South and extending to a point 22 feet easterly therefrom.
27. That a parking prohibition be implemented on the east side of Hughson Street South, commencing at a point 70 feet south of Haymarket Street and extending to a point 40 feet southerly therefrom.
28. That a parking prohibition be implemented on the east side of Locke Street South, commencing at a point 40 feet south of Stanley Avenue and extending to a point 30 feet southerly therefrom.
29. That the School Traffic Officer be retained at the intersection of Young Street and Walnut Street.
30. That a \$25 registration fee be established for applications for boulevard parking adjacent to commercial, industrial and institutional land uses, such that the City may assume the responsibility of registering the agreements at the Land Registry Office.
31. That the Director of Traffic Services be authorized to issue one time limit exemption permit per dwelling unit to the residents of the apartment building at No. 455 King William Street.
32. That String Street be operated one-way northerly between King Street East and Main Street East.
33. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Mountain Park Avenue between Viewpoint Avenue and Hamilton Avenue.
34. For the information of Council, the Transport and Environment Committee appointed the Chairman of the Transport and Environment Committee, Alderman Merling, and Alderman Agro to the By-law Enforcement Sub-Committee for the current term of City Council.

35. For the information of Council, the Transport and Environment Committee appointed Mr. Joseph Mancinelli and Mrs. June Deans as liaisons to the Hamilton-Wentworth Roman Catholic Separate School Board and Board of Education for the City of Hamilton, respectively.

36. That leave be granted to introduce the following bills:

- (a) B-6 By-law to amend By-law 66-100 to Regulate Traffic
- (b) B-7 By-law to amend By-law 66-100 to Regulate Traffic
- (c) B-8 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary  
Attach.

1985 January 06







REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its THIRD Report for 1986 and respectfully recommends:

1. Approval of the awarding of the following contracts:

(a) D & R GARDEN SUPPLY LIMITED., Oakville, Ontario

Supply and delivery of Crab Grass Preventive and Fertilizer in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

20 Tonnes Chlorthal Dimethyl at \$980. per Tonne.....\$19,600.  
Ontario Retail Sales Tax Extra @7%

NOTE: One of the lowest of 3 tenders. Funds provided in accounts 0354-0719 and 0355-0719. This purchase was processed in accordance with the emergency procedures of the City Purchasing Policy which provides for an order to be placed upon approval of two of either the Mayor, the Committee Chairman, or the Chief Administrative Officer and is at this time being reported to City Council for formal ratification.

(b) TROY SPRINKLER LIMITED, Beamsville, Ontario

Supply and installation of Sprinkler System for Whitehern in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Whitehern Sprinkler System.....\$78,657.

NOTE: Lowest of three (3) acceptable tenders. Funds provided in account 0408-U55165.

2. (a) That the lease between the City of Hamilton and the Provincial Council for Ontario, The Boy Scouts of Canada, dated 1983 May 27 with respect to a portion of Pier 4 Park area, be renewed with the new term to commence on 1985 December 1 and expire on 1986 November 30 for an annual rental of \$75.
- (b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

3. (a) That the lease between the City of Hamilton and the executives of the Hamilton-Burlington "Y" Sailing Club, namely, Liz Aldrey, Kenneth Brunner, Ellen Franey, and Alexander Mersereau dated 1983 June 8 with respect to a portion of the Pier 4 Park area, be renewed with the new term to commence on 1985 December 1 and expire on 1986 November 30 for an annual rental of \$175.

(b) That the Mayor and City Clerk be authorized and directed to execute the renewal agreement.

4. That the firm of Parker Consultants be retained at a fee of \$42,000. for engineering services for replacement of rink and refrigeration systems at Eastwood, Coronation and Parkdale Arenas.

NOTE: Lowest of seven proposals received. Funds have been approved as part of the project appropriation.

5. (a) That the appropriation for the spinkler system capital account for the Whitehern Historical House Account No. 35278 be increased from \$75,000. to \$85,000.

(b) That the Finance Committee be requested to recommend the method of financing.

NOTE: Tender costs and anticipated charges associated with this project will increase the total cost to \$85,000.

6. (a) That Winterfest be declared as a city wide celebration sponsored by the City of Hamilton and that citizens and friends be urged to join by participation in the numerous winter carnival activities being scheduled between the dates of 1986 February 6 and 9.

(b) That permission be granted to have horse-drawn sleigh rides in King's Forest & Chedoke, such permission as required under By-law 77-221.

7. That the Portugese Association be granted permission to sell food and drink other than that offered for general sale through the Parks Concessionaire on the occasions of the annual Celebration of the Feast of the Holy Spirit 1986 June 6,7,8, in Dundurn Park Pavilion.

8. That the Terms of Reference for the Parks and Recreation Advisory Committee approved by City Council on 1985 September 24 which provides that the Chairperson be a citizen member be amended to provide that the Chairperson be either an elected member of City Council or a citizen member.
9. For the information of the members of City Council, the Parks and Recreation Committee at its meeting on 1986 January 7 endorsed Item 23 of the Second Report of the Planning and Development Committee for 1986 requesting a report regarding the utilization of all or part of the 5% Parkland Dedication Fund for park development including a priority programme for park development similar to the Park Acquisition Programme.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale  
Secretary  
1986 January 7









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its SECOND Report for 1986 and respectfully recommends:

1. That approval be given to Zoning Application 85-85, Vlado Matesa, owner, to establish a further modification to the "G-4" (Designed Neighbourhood Shopping Area) District regulations applicable to the property located at No. 2732 Barton Street East, as shown on the attached map marked as APPENDIX "A", on the following basis:
  1. That the "G-4" (Designed Neighbourhood Shopping Area) District regulations, as contained in Section 13D of Zoning By-law No. 6593, applicable to the subject lands be further modified to include the following variances as special requirements:
    - a) That notwithstanding the provisions of Section 13D(1) of By-law No. 6593, the following uses shall be permitted:
      - i) commercial gymnasium; and,
      - ii) any retail store, show room or a sample room.
      - iii) a business identification ground sign that complies with the following requirements:
        - the sign shall be located at a distance of not less than 3.0 m and not more than 9.0 m from the lot line along Barton Street East;
        - the sign shall be a minimum of 3.0 m from the ground to the bottom of the sign, and the supporting structure so designed and constructed as not to obstruct the view from any direction; and,
        - the area of vertical projection shall not exceed more than 9.3 m<sup>2</sup>



2. That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-912a, and that the subject lands on Zoning District Map E123 be notated S-912a.
3. That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E123.
4. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
5. That the ground sign shall be exempt from Site Plan Control.

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide a further modification to the established "G-4" (Designed Neighbourhood Shopping Area) District regulations for the property located at No. 2732 Barton Street East as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit retail stores, a commercial gymnasium and the erection of a ground sign of an area not exceeding  $9.3 \text{ m}^2$  (100 sq. ft.)

2. That approval be given to City Initiative 85-0 to establish a change in zoning from "RT-10" (Townhouse) District to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District on lands located on the north side of Loconder Drive, between Upper Gage Avenue and Rexford Drive, as shown on the attached map marked as APPENDIX "B" on the following basis:
  - i) That By-law No. 6593 as amended by By-law No. 79-50 be further amended by adding the subject lands to Schedule "A" of By-law No. 79-50.
  - ii) That By-law No. 79-71 be repealed.
  - iii) That the subject lands on Zoning District Map E-38B be added to the D/S 618 notation:
  - iv) That the Randall Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Single and Double residential designation; and
  - v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE:

The purpose of the by-law is to establish a "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District zoning on a vacant property on the north side of Loconder Drive between Upper Gage Avenue and Rexford Drive, as shown on the attached map marked as APPENDIX "B". The effect of the by-law is to permit the division of the subject property into parcels to be added to abutting residential lots to the west.

3.

#### A. Subdivision

- (a) That approval be given to Application SA-85-14, DiCenzo Construction Company Limited, owner, to establish a draft plan of subdivision south of Gosford Drive, west of Upper Paradise Road, subject to the following conditions:
  - 1. That this approval apply to the plan prepared by A. J. Clarke & Associates Limited dated July 25, 1985, revised to show 32 lots for single-family dwellings, and 40 lots for small lot single-family dwellings, three blocks for road widening and three blocks for 0.3 m reserves.
  - 2. That all road widenings adjacent to Upper Paradise Road are to be dedicated on the Final Plan.
  - 3. That Guildwood Drive be established with a full width of 20.12 m along lots 1-13 inclusive and lots 48-50 inclusive.
  - 4. That the street be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - 5. That the final plan conform with the zoning by-law approved under The Planning Act.
  - 6. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - 7. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - 8. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.

9. That the dead-end of the road allowance created by the plan be terminated in a 0.3 m reserve to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.
  10. That the owner implement appropriate siltation control measures for the duration of construction on site to the satisfaction of the Hamilton Region Conservation Authority.
  11. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.
- b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-14), DiCenzo Construction Co., Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

B. Zoning

1. That approval be given to Zoning Application 85-67, DiCenzo Construction Company Limited, owner, for a change in zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District and "R-4" (Small Lot Single-Family Detached) District for lands located on the west side of Upper Paradise Road, in the area south of Gosford Drive, as shown on the attached plan marked as APPENDIX "C", on the following basis:
  - i) That the lands shown as Blocks "1" and "2" be rezoned from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
  - ii) That the lands shown as Blocks "3" and "4" be rezoned from "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.



- iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-37B.
- iv) That the Gurnett Neighbourhood Plan be amended by redesignating portion of the subject land from "Attached Housing" and "Low Density Apartments" to a "Single and Double Residential" designation.
- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

#### EXPLANATORY NOTE

The purpose of the by-law is to provide for a change in zoning for lands located on the west side of Upper Paradise Road, in the area south of Gosford Drive, as shown on the attached map marked as APPENDIX "C" on the following basis:

Blocks "1" and "2"	From "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;
Blocks "3" and "4"	From "AA" (Agricultural) District to "R-4" (Small Lot Single-Family Detached) District.

The effect of the By-law is to permit the subdivision of the property into building lots for the purposes of constructing single-family dwellings (Blocks "1" and "2") and "small lot" single-family dwellings (Blocks "3" and "4").

- 4. That approval be given to Zoning Application 85-87 Abbotsford Homes Limited, prospective owner, requesting a change in zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District modified for property located at No. 924 Upper Wentworth Street, as shown on the attached plan marked as APPENDIX "D" on the following basis:

- i) That the subject lands be rezoned from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc.) District to "HH" (Restricted Community Shopping and Commercial) District;



- ii) That the "HH" (Restricted Community Shopping and Commercial) District regulations as contained in Section 14A of By-law No. 6593 applicable to the subject lands be modified to include the following variance as a special requirement:
  - a) That notwithstanding Section 14A(1) the following uses shall be prohibited:
    - 1. Public uses referred to in clause (viii) of Subsection 11.(1) of By-law No. 6593;
    - 2. Commercial Uses referred to in clause (vii) of Subsection 13(1); "an auctioneer's premises" as contained in clause (xiv) of subsection 14(1); clauses (ca, cb) of subsection 14A (1) of By-law No. 6593.
- iii) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-922a, and that the subject lands on Zoning District Map E-18A be notated S-922a;
- iv) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E-18a; and
- v) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 31.

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a change in Zoning from "AA" (Agricultural) District and "C" (Urban Protected Residential, etc) District to "HH" (Restricted Community Shopping and Commercial) District modified for property located at No. 924 Upper Wentworth Street, as shown on the attached plan marked as APPENDIX "D".

The effect of the By-law is to permit future commercial development on the subject lands. In addition, the By-law provides for a modification to the "HH" (Restricted Community Shopping and Commercial) District regulations to prohibit the following uses:

### Public Uses

a private club, lodge, fraternity or sorority house or labour union hall, which may include sleeping accommodation for not more than twenty persons.

### Commercial Uses

A restaurant or refreshment room;

An Auctioneer's premises;

A tavern; and,

A billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement.

5. That approval be given to the Terms of Reference for the preparation of a Concept Plan for the Hamilton Beach attached hereto and marked APPENDIX "E".

The City has agreed in principle to a joint study of Hamilton Beach to establish its long term use. A terms of reference is needed for the study.

6. A That approval be given to Application SA-85-15, "Chateau Estates Addition", Mohawk Paradise Developments Limited, owner, to establish a draft plan of subdivision to the south of Mohawk Road and West of Magnolia Drive, subject to the following conditions:

1. That this approval apply to the plan prepared by J. P. Nouwens, O.L.S., dated August 8, 1985 showing 12 lots.
2. That the proposed subdivision conform with the Zoning By-law approved under the Planning Act.
3. That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
4. That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
5. That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
6. That no final approval be given to this plan prior to the registration of "Chateau Estate Phase 2" (Regional File No. 25T-84024).

7. That the owner agree in writing to satisfy all the requirements financial and otherwise, of the City of Hamilton.
- B. That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-15), Mohawk Paradise Developments Limited, owner, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.
- C. That the Fessenden Neighbourhood Plan be revised accordingly.
7. That approval be given to application SA-85-16, "Limeridge Gardens", 603259 Ontario Inc., owner, 603259 Ontario Inc., to establish a draft plan of condominium located north of the proposed Mountain Freeway, east of Garth Street and South of Limeridge Road, subject to the following conditions:
  1. That this approval apply to the plan prepared by J. P. Nouwens, O.L.S., dated August 19, 1985 showing 150 units.
  2. That the owner satisfy the requirements of the Ministry of the Environment in regard to noise abatement from possible excessive noise from the proposed Mountain Freeway.
  3. That the final plan comply with the approved site plan.
8. That the City Solicitor be authorized and directed to prepare a by-law to amend Zoning By-law 84-208, for rezoning of lands for residential purposes as a condition of final approval for "Strawberry Hills," Plan of Subdivision, to clarify the area affected by this By-law.

#### EXPLANATORY NOTE

It has come to the attention of the Committee that a "mismatch of numbers" of certain lot numbers resulted from an Amendment to the Plan of Subdivision. Based on this observation, the By-law should be amended so that the lot numbers mentioned in the By-law correspond with the lot numbers shown on the Registered Plan for "Strawberry Hills," 62M-439.



9. "That, Section 29, the Twenty-fourth Report for 1985 of The Planning and Development Committee, adopted by City Council at it's meeting held 1985 August 27, dealing with the request of the Locke Street Business Association (Locke Place) to adopt a by-law designating a Business Improvement Area (B.I.A.), be rescinded.

Note: For the information of the Members of City Council, The Municipal Act provides that if at least one third of those assessed for business within a proposed B.I.A., representing at least one third of the total assessment for that same area, object to the establishing of a B.I.A., The Council may not pass a designating by-law.

"In respect of the proposed B.I.A. on Locke Street South, it's designation was sufficiently petitioned against and, therefore, the rescission of Council's earlier direction in this regard is appropriate."

10. i) That, in accordance with Schedule A, attached hereto, as APPENDIX "F" the 1986 operating budget of the "Jamesville" Business Improvement Area (B.I.A.) be approved in the amount of forty-nine thousand dollars (\$49,000.);
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite By-law pursuant to Section 217., The Municipal Act, R.S.O. 1980, to levy the 1986 Budget as referenced in (i), above; and,
- iii) That the Schedule of Payments - 1986, attached hereto as Schedule B, and marked as APPENDIX "G" be approved.
- iv) "That the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the B.I.A. on James Street North from King William Street to the Canadian National Railway tracks as more particularly described in By-law No. 85-198, in accordance with Schedule "A" attached hereto as APPENDIX "H".
11. i) That, in accordance with Schedule A, attached hereto as APPENDIX "I" the 1986 operating budget of the "Downtown Promenade" Business Improvement Area (B.I.A.) be approved in the amount of one hundred and twenty-five thousand dollars (\$125,000.);
- ii) That, the City Solicitor be hereby authorized and directed to prepare the requisite By-law, pursuant to Section 217., The Municipal Act, R.S.O. 1980, to levy the 1986 Budget as referenced in (i), above; and,



- iii) That the Schedule of Payments - 1986, attached hereto as Schedule B, and marked as APPENDIX "J" be approved.
  - iv) "That the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the B.I.A. bounded, generally, by King William Street, Mary Street, Main Street and James Street and as more particularly described in By-law No. 82-151, in accordance with Schedule "A" attached hereto and marked as APPENDIX "K".
12. That the Engineering Services Committee of the Regional Municipality of Hamilton-Wentworth be advised that the City has no objection to the request of Mr. P. Pappas, owner, "Grapes N' Things," to construct a second storey patio cafe over the sidewalk as 103 King Street East.
13. That, the streetscape design on both sides on King Street West from James Street to Bay Street be reviewed in light of the proposed construction of two office towers by Dover Park Development Corporation, and in view of creating a connection between Jackson Square, the Dover Park Towers and other downtown streetscape design.
14. i) That the provisions for renewal of the Municipal infrastructure, as contained in the Downtown Hamilton Action Plan and, more particularly described as "Typical Treatment," involving: new, decorative sidewalk paving; burial of electrical service; tree planting; pedestrian-scale lighting; benches and waste receptacles' bicycle racks; information kiosks; and, banners on lamp poles be extended to James Street North, from Vine Street to the C.N.R. mainline, connecting the Central Business District (C.N.D.) "Core Redevelopment Area" to the residential, "North End Redevelopment Area" (Urban Renewal) and any future waterfront development;
- ii) That, provision be made in the 1986-1990 Capital Budget in the amount of one million, seven hundred sixty four thousand dollars (\$1,764,000.); the estimated cost to implement the project to which reference is made in (i), above, in "expenditure-year-dollars" (i.e., 1986 and, 1987);
- iii) That, the Director of Community Development be hereby authorized and directed to make application to The Ministry of Municipal Affairs and Housing, Province of Ontario, seeking a grant and loan of up to five hundred thousand dollars, (\$500,000.), pursuant to the provisions of the Commercial Area Improvement

Programme (C.A.I.P.), to assist in financing the implementation of the project to which reference is made in (i), and (ii), above;

- iv) At such time as The City's application to The Ministry, to which reference is made in (iii), above, receives favourable consideration, By-law No. 83-242 (To Designate: THE DOWNTOWN CORE AREA OF THE CITY OF HAMILTON AS A REDEVELOPMENT AREA) be amended to add additional lands as shown on the attached map marked as APPENDIX "L"
- v) That a review of all other inter-connecting streets within the Study Area of the Downtown Hamilton Action Plan be conducted to determine the appropriateness, or otherwise, of extending physical improvements to other streets.

**Note:** For the information of the Members of City Council your Committee considered the extension of the provisions of the Downtown Hamilton Action Plan, north on James Street to the C.N.R. mainline, at its meeting held 1984 September 12 however, recommended to City Council at its meeting held 1984 September 25 that no action be taken at that time pending completion of the James Street North heritage study. While the heritage study has been completed though, not yet adopted in its final form there is, nevertheless, sufficient background data available and, activity on the part of the James Street North business community, itself, to warrant physical renewal of this major, commercial link between the Central Business District and the North End Redevelopment Area (Urban Renewal)/Hamilton Waterfront.

It is proposed that planning and design be carried out during 1986, with project implementation in 1987.

- 15. That the Department of Community Development be authorized to process grants and or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

Ontario Home Renewal Programme

- |                                       |                                       |
|---------------------------------------|---------------------------------------|
| 1. M. Mercer<br>188 Lottridge St.     | 14. G. Bryson<br>153 West 18th Street |
| 2. R. DuFour<br>21 Lawfield Dr.       | 15. K. White<br>8 Craigroyston        |
| 3. W. Jamieson<br>99 Barons. S.       | 16. N. Judd<br>12 Bruce Street        |
| 4. G. Siwek<br>145 Auburn Ave.        | 17. O. Merrill<br>22 East 7th Street  |
| 5. J. Wood<br>94 Sherman North        | 18. S. Tallo<br>197 Cannon East       |
| 6. E. Hoyle<br>1794 King East         |                                       |
| 7. E. Ray<br>1093 Upper Wellington    | 19. D. Danylyk<br>13 Cameron S.       |
| 8. W. Osip<br>90 Weir South           | 20. A. Wilkieson<br>268 Avondale      |
| 9. J. Hargreaves<br>27 Crosthwaite S. | 21. C. Zavagno<br>109 Woodman Dr.     |
| 10. R. Clayton<br>18 Eugene Street    | 22. J. Cook<br>32 West 4th Street     |
| 11. H. Rolph<br>189 Kenilworth S.     | 23. S. Hayes<br>147 West 4th St.      |
| 12. H. Helden<br>827 Queensdale E.    | 24. R. Biggs<br>8 East 25th St.       |
| 13. W. Prodaniuk<br>208 East 21st St. |                                       |

Hamilton Rehabilitation Programme

- |                                |                                        |
|--------------------------------|----------------------------------------|
| 1. S. Dhinsa<br>52 Adis Avenue | 4. D. Green<br>104 Britannia           |
| 2. D. Todd<br>20 Craigmiller   | 5. F. VonBraun<br>145 East 34th Street |



3. L. Marr  
66 East 33rd Street

16. i) That, the proposed "Corktown-Stinson Community Improvement Project Area" as shown on the attached plan marked as APPENDIX "M" be the City of Hamilton's 1986-1987 Area for the implementation of the Ontario Neighbourhood Improvement Programme (O.N.I.P.);
- ii) That, provision be made in the 1986-1990 Capital Budget for the implementation of the O.N.I.P. in Corktown-Stinson at a gross cost of one million dollars (\$1,000,000.); and,
- iii) That, the Director of Community Development be hereby authorized and directed to make application to The Ministry of Municipal Affairs and Housing, seeking a grant in the amount of five hundred thousand dollars (\$500,000.) to assist in financing the cost of implementing the O.N.I.P. in Corktown-Stinson.
17. i) That, "ADDENDUM #1, PHASE III: THE THIRD PRIORITY ACTIONS" of the Downtown Hamilton Action Plan, attached hereto as APPENDIX "N" be adopted; and,
- ii) Approval of the action of the Planning and Development Committee in convening a public meeting on January 7, 1986, to present, and hear comments in respect of the Phase III implementation measures, as prepared by Moorhead Fleming Corban McCarthy, Landscape Architects, and contained in ADDENDUM #1 to which reference is made in (i), above.

**Note:** For the information of the Members of City Council, the City of Hamilton has been allocated four hundred thousand dollars (\$400,000.), by the Province of Ontario pursuant to the provisions of the Commercial Area Improvement Programme (C.A.I.P.), to assist in implementing Phase III of the Downtown Hamilton Action Plan.

Pursuant to the public meeting to which reference is made in (ii) above, the Phase III implementation measures, as may be subsequently amended, will be recommended for adoption as an Addendum to the Phase II Redevelopment Plan (By-law No. 85-203).

18. a) That the City of Hamilton grant to the Regional Municipality of Hamilton-Wentworth an easement for the sum of \$1.00 over Parts 2,3,6,7,14 and 15 on Plan 62R-7820 in regards to the lots fronting on Goderich Road in the Kenora Industrial Park.



- b) That the City Solicitor be authorized to proceed with the conveyance of the above mentioned easement.

19. Approval of the awarding of the following purchase order.

STRADWICK'S ONTARIO LTD., Hamilton, Ontario.

Supply and installation of Carpet in the Building Department, City Hall, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$15,947.

Note: Lowest of 4 Tenders. Funds provided in Account 0344-0174.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following; the Mayor; the appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

20. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

1774 King Street East, Hamilton

345 Lake Avenue North, Hamilton

21. a) That City Council reaffirm it's decision of May 14, 1985 to augment the existing membership of the Committee of Adjustment with two (2) additional members who are members of City Council.
- b) That Alderman H. Merling be appointed to the Committee of Adjustment for a three year term commencing November 30, 1985.
- c) That the remaining additional member of Council be appointed by City Council.

#### Explanatory Note

City Council at its meeting held May 14, 1985, on the recommendation of the Planning and Development Committee, approved that the existing membership of the Committee of Adjustment be augmented with 2 additional members who are members of City Council.

At it's Caucus meeting held November 27, 1985, City Council as Nominating Committee agreed to withhold appointing any Council member to the Committee of

Adjustment pending a further review of this matter by the newly elected Planning and Development Committee and City Council.

At its meeting held December 11, 1985 the Planning and Development Committee reaffirmed its previous recommendation that the existing membership of the Committee of Adjustment be augmented as approved by Council May 14, 1985.

22. For the information of the Members of City Council, the following appointment was approved by the Planning and Development Committee at its meeting held December 11, 1985:

Committee

Alderman Appointed

Downtown Hamilton Action Plan      Alderman W. M. McCulloch  
Co-Ordinating Committee.

23. That the Staff Parks Acquisition Committee be directed to undertake the preparation of a report containing recommendations for consideration by the Parks and Recreation and Planning and Development Committee's regarding the utilization of all or part of the 5% Parkland Dedication Fund for park development and further, that a priority programme similar to the Park Acquisition Programme be recommended for park development.
24. That the report of the Planning and Development Department dated November 15, 1985 attached hereto as APPENDIX "O" dealing with the 1986 Census Questions on Housing Type, be received.
25. That leave be granted to introduce the following Bills:

- |          |                                                                                                                                                                             |
|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Bill D-1 | By-law to Amend Zoning By-law No. 84-208<br>Respecting Land Located in the Area North of<br>Queenston Road and East of Lake Avenue North.                                   |
| Bill D-2 | By-law to Repeal By-laws Nos. 85-136 and 85-147<br>Respecting Land Located at Municipal Nos,<br>323-325 Wentworth Street North and Municipal No.<br>257 Barton Street West. |
| Bill D-3 | By-law to Amend Zoning By-law No. 6593<br>Respecting Land Located at Municipal Nos. 174 to<br>176 John Street South.                                                        |
| Bill D-4 | By-law to Amend Zoning By-law No. 6593<br>Respecting Land Located on the South Side of<br>Stone Church Road Road West and West of<br>Courtland Avenue                       |

Bill D-5      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No. 2732  
Barton Street East.

Respectfully submitted,

Alderman John Smith, Chairman  
Planning and Development Committee

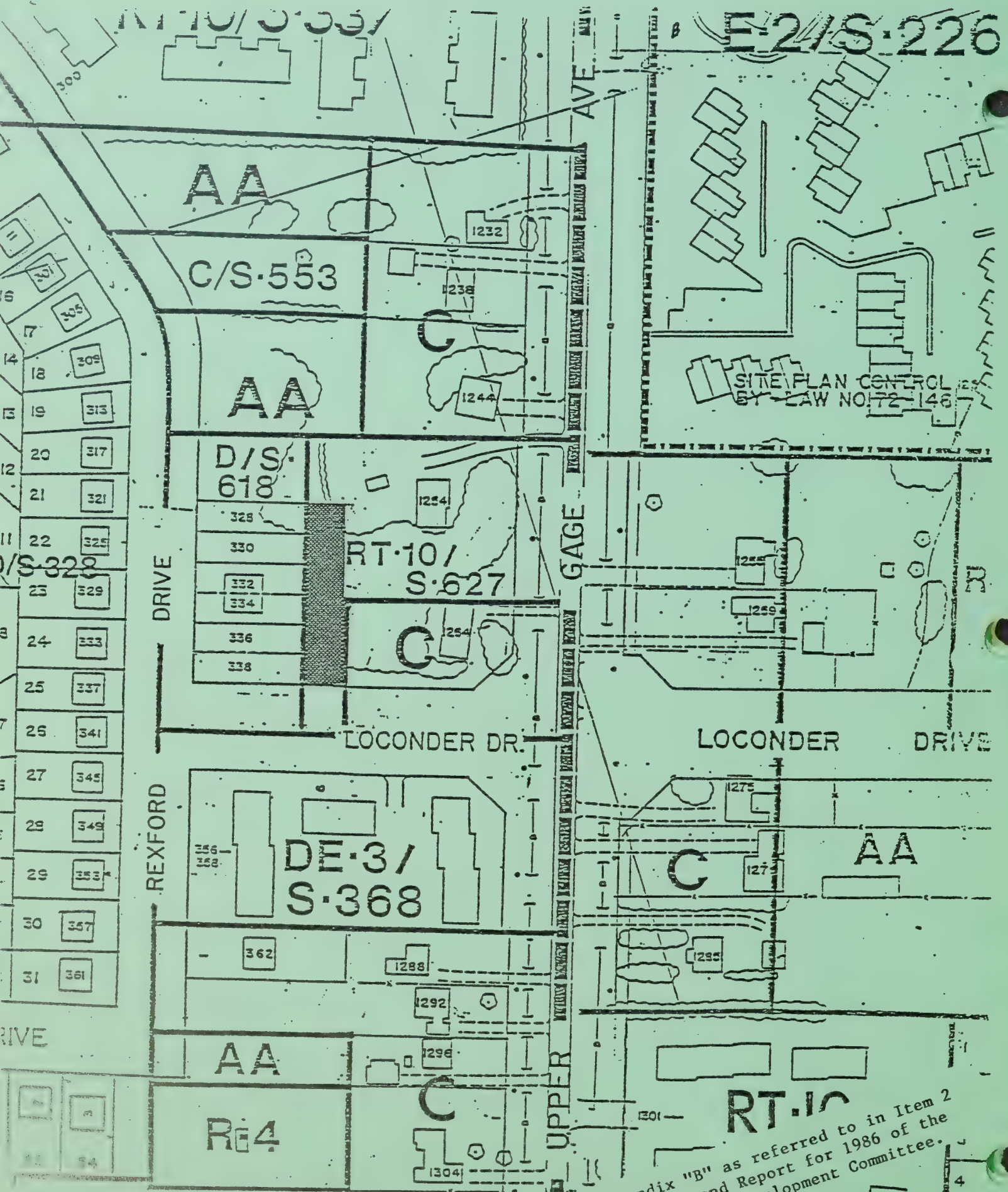
John D. Thompson, Secretary,  
Planning and Development Committee

JDT:tb







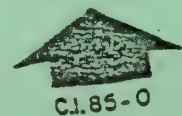


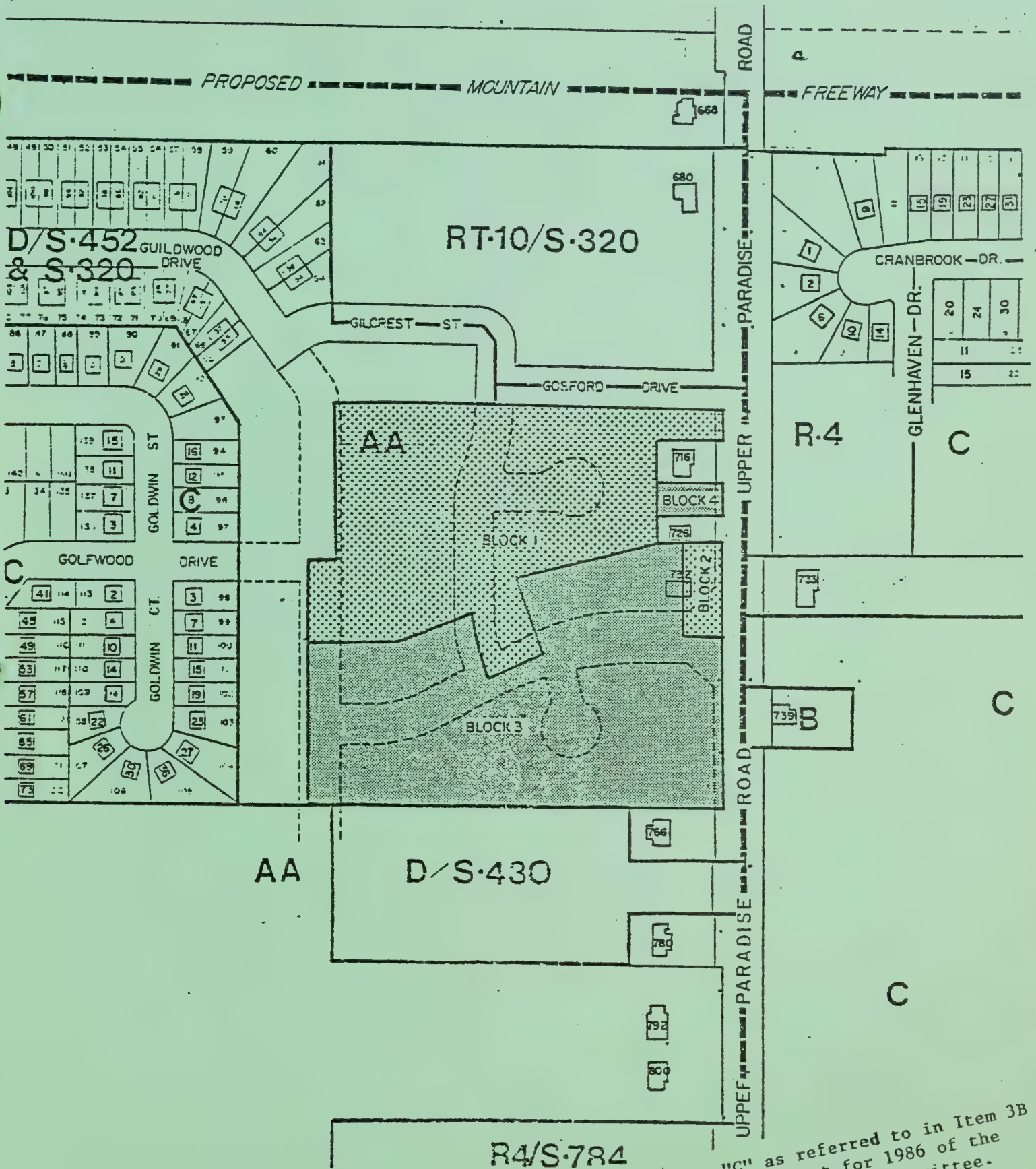
LEGEND

 SITE OF THE APPLICATION.



D-18

Appendix "B" as referred to in Item 2  
of the Second Report for 1986 of the  
Planning and Development Committee.





# LEGEND

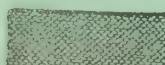
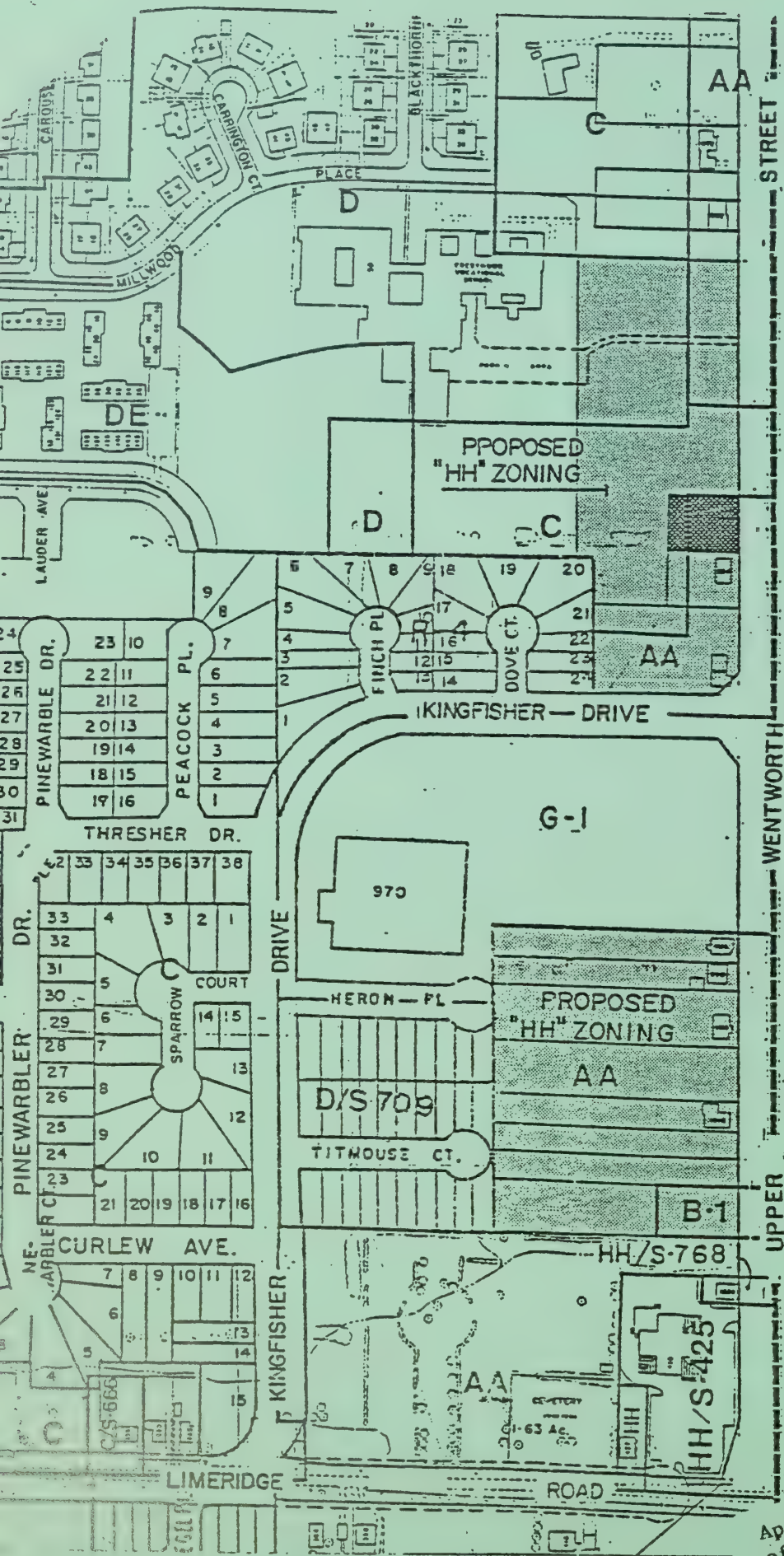
- BLOCKS 1 & 2  "C" (Urban Protected Residential, etc.) District
- BLOCKS 3 & 4  "R-4" (Small Lot Single-Family Detached) District

Proposed Change in Zoning from "AA" (Agricultural) District to:

Appendix "C" as referred to in Item 3B of the Second Report for 1986 of the Planning and Development Committee.







SITE OF THE APPLICATION

Appendix "D" as referred to in Item 4 of the Second Report for 1986 of the Planning and Development Committee.



Terms of Reference  
Preparation of a Concept Plan  
for the Hamilton Beach

A. Introduction

In 1975 the Province of Ontario through the Hamilton Region Conservation Authority agreed to participate with the City of Hamilton in the acquisition of properties along the Hamilton Beach between the Confederation Park boundary on the east, and the canal on the west. The City of Hamilton first initiated the acquisition project as a result of public pressure to eliminate problems caused by flooding, erosion and septic tank malfunctions. For similar reasons, the 1974 Halton-Wentworth Waterfront Study recommended that the entire Beach be acquired for open space and recreation purposes.

The decision by the Conservation Authority and the Province to participate with the City in this project required the signing of a three party agreement outlining the respective responsibilities of affected parties. The basic provisions of the agreement are as follows:

1. The Authority to purchase all Beach properties (save and except properties to be acquired by the Ministry of Transportation and Communications for road widening purposes) with the City of Hamilton Real Estate Department to act as the Authority's agent.
2. All properties to be leased back to the City immediately after acquisition.
3. The City to pay rent equal to realty taxes (which the Authority is required to pay by virtue of it owning the lands).

Appendix "E" as referred to in Item 5 of the Second Report for 1986 of the Planning and Development Committee.



4. The City to be responsible for demolishing all buildings within 90 days of the leasing of the property except buildings identified by LACAC as having architectural or historical significance.
5. The City to make site improvements to leased properties, e.g. levelling, seeding, barricades, etc.
6. The City to maintain leased properties.
7. The City to develop leased lands for open space and recreation in accordance with a master development plan. The Authority and the City are both responsible for the development of such a plan. No time limit for the preparation of a plan was set.

With reference to the master development plan, the acquisition program began with the understanding that the entire Beach would be acquired and that the matter of detailed master planning would be more appropriately addressed during the final stages of the acquisition phase.

However, since 1980, several issues and concerns have surfaced which cannot be resolved without having the benefit of a master development plan, or at least a plan which outlines basic development concepts. These issues and concerns are summarized in the "Background" section of these Terms of Reference. In view of these issues and concerns, the Conservation Authority, the City of Hamilton and the Provincial Government deemed it appropriate to re-evaluate the present Beach project and decided therefore to invite proposals from qualified consulting firms (or a consortium of firms hereinafter referred to as "consultant") to assist in this re-evaluation process by undertaking the preparation of an overall Beach concept plan. The main purpose of this undertaking is to develop a long term acquisition and development strategy for the Beach keeping in mind the basic

project objectives of the acquisition program, i.e. to resolve flooding and erosion problems and to develop existing and future acquired property acquisitions for open space and recreation purposes. In this connection, the consultant is to consider the possibility of a mixed land use as an alternate long range strategy as long as the project objectives are not compromised. Further, all three parties agreed that it would be in the best interest of the project to establish a steering committee to work closely with the consultant on a regular basis throughout the plan preparation period. Steering committee members will represent the Conservation Authority, the City and Region, the Province, public at large, and the Beach community.

#### B. Background Information

To assist those consultants interested in submitting a proposal in understanding the project more fully, the following provides a summary of project statistics as well as issues and concerns which have surfaced since the project started is provided.

1. At the outset of the acquisition program, 685 residential and commercial units occupied the 187 acre Beach community. Of this number, the Ministry of Transportation and Communications was expected to purchase 135 homes thus leaving 550 to be acquired by the Hamilton Region Conservation Authority. To date, the Ministry of Transportation and Communications has acquired approximately 95 properties. One hundred and seventy four properties have been acquired by the Hamilton Region Conservation Authority. Between the Ministry and the Authority, 39% of the residential and commercial units have been acquired.

2. During the period 1976 to 1985, approximately \$4,000,000 has been spent by the Authority on acquisitions (at an estimated average cost of \$22,900 per property or \$114,000 per acre which includes legal, negotiation, security, demolition, and site restoration. The annual breakdown of acquisition expenditures is as follows:

1976	\$ 56,500	1981	\$545,000
1977	600,000	1982	467,000
1978	600,000	1983	163,636
1979	600,000	1984	200,000
1980	600,000	1985	100,000 (200,000 budget)

The total Provincial contribution to date is + \$2,080,000 based on a level of involvement ranging from 50 to 55 percent.

3. During the initial four year period of the program, acquisitions occurred in a relatively straight forward manner and in compliance with the previously agreed to terms of the three party agreement.
4. The City is responsible for property maintenance which involves site clean up and grass cutting. In order to minimize costs in this area during the acquisition phase, the City in 1980, requested the Authority to consider the merits of leasing lands to adjoining landowners for their private use. While this suggestion was rejected by the Authority and the City Real Estate Department, the cost of maintenance increases annually and the level of service is of concern to local residents.



5. In 1982, a Beach Implementation Task Force was established to deal with a variety of issues affecting property maintenance, building renovations and expansions, etc. The Task Force consisted of two Beach residents and one senior representative of the City, the Region and the Authority. After four meetings and successful resolution on several points, the committee was disbanded.
6. Reduced Provincial funding together with higher property values for the remaining privately held lands make it impossible to achieve completion of the acquisition phase by the year 2005 as initially projected..
7. Twenty-two residences have been identified by LACAC as being of architectural or historical significance.
8. The City has indicated concern regarding the policy on demolition of residences purchased by the Authority on the premise that certain residences may be habitable and should therefore be offered for public occupancy on a lease basis.
9. Public opinion is changing and Beach residents in particular have voiced opposition to the present policy to acquire the entire Beach community.
10. In December 1984, the Conservation Authority requested an outside consultant to provide an opinion on how a mixed use development concept, i.e. open space and recreation and residential could work. This report indicates that a mix of land uses would not necessarily be an obstacle to a viable urban waterfront park. The report did not however address the issue of flooding and erosion.



11. The City of Hamilton and the Regional Municipality of Hamilton-Wentworth have requested the Authority to limit property acquisitions to "hardship" cases until a Master Development Plan is completed.

### C. Study Objectives

The basic objectives of this work are:

1. To identify and evaluate conceptual development alternatives for the Hamilton Beach including consideration of a mixed use development with the emphasis on resolving existing flooding and erosion problems and maximizing the potential for waterfront access and enjoyment through the development of existing and yet to be acquired properties for open space and recreation purposes.
2. To determine a preferred conceptual development plan for the Beach complete with the necessary written documentation, to establish areas of acquisition interest and acquisition priority, a capital development plan with implementation strategy for lands to be in public ownership, maintenance and operational responsibilities for publicly held lands and, if applicable, an implementation strategy including land use and development guidelines for privately held lands not proposed for public acquisition.
3. To provide opportunities for public involvement in the preparation of the plan to ensure broad public project support.

#### D. Study Area

The area referred to as the Hamilton Beach encompasses the Lake Ontario waterfront from the Burlington Canal eastward to the west limit of Confederation Park, between the water's edge and the Q.E.W. A map of this area showing lands already purchased by the Conservation Authority, is attached.

#### E. Specific Project Tasks

1. The consultant shall become familiar with the Hamilton Beach as a whole and its urban environs and be aware of other waterfront projects in the immediate vicinity including Confederation Park, the Burlington Beach and the proposed Hamilton west harbour development.
2. The consultant shall review all available background information pertinent to the Hamilton Beach before commencing preparation of alternative concept plans and prepare a background report on the information referred to.
3. In conjunction with the steering committee, the consultant shall prepare a list of items to be addressed in the formulation of conceptual plan alternatives. The list will include but not necessarily be limited to the following:

- flooding and erosion problems
- waterfront access and related open space and recreational requirements
- servicing and health related matters
- existing land ownership pattern
- architecturally or historically significant buildings identified by LACAC
- recreational uses that may be appropriate for the area
- the potential client/user group.
- period of time and financial implications to achieve plan implementation.

4. Based on the list compiled under paragraph 3, the consultant shall prepare no less than three conceptual development alternatives for the Beach, and in conjunction with the steering committee evaluate the relative merits of each. The evaluation shall take into account various factors including but not necessarily limited to the following:

- effectiveness in resolving flooding, erosion and health related matters
- servicing requirements
- potential for maximizing access to the waterfront for recreation and open space
- land acquisition requirements and costs
- maintenance and related costs
- the potential for private investor interest
- time frame for achieving plan implementation
- public support for the proposal.

5. In conjunction with the steering committee, the consultant shall develop a preferred concept development plan for the Beach with the necessary written documentation on the full range of items considered pertinent to the overall success of the project.

Plans and text should be in sufficient detail and format to satisfy the requirements of an Official Plan Amendment as it is anticipated that the preferred concept plan may not conform precisely with existing Official Plan policies.

6. The consultant shall conduct an effective public participation program and include appropriate measures for obtaining input from Beach residents including questionnaires at key stages of the plan preparation process.

#### F. Timing

It is anticipated that a consultant will be engaged by the Conservation Authority in early 1986. The selected consultant will be expected to complete the study within a period of 6-8 months.

#### G. Meetings

During the study process, the consultant will be required to meet regularly with the steering committee to report progress, receive direction and to generally satisfy the requirements of the project. It is expected that this will involve at least six meetings. In addition, the consultant will be required to attend



and present material to at least two meetings of the Conservation Areas Advisory Board and two meetings of the City of Hamilton Planning and Development Committee. The final plan will be presented to a combined meeting of the Full Authority and Council for the City of Hamilton. Lastly, the consultant will be required to attend whatever meetings are required for the public participation component of the project.

The above outline of meeting requirements is an estimate only. Should any additional meetings be required the consultant will be expected to attend these meetings without remuneration.

#### H. Consulting Agreement

The selected consulting firm will be required to enter into an agreement with the Conservation Authority specifying the terms of reference, consulting fee schedules, upset limit (if applicable), and time schedule or flow chart.

#### I. Submissions

The Authority requires \_\_\_\_ copies of all interim reports, plans, drawings, etc., and \_\_\_\_ copies of the final Concept Plan complete with maps, schedules, appendices, etc. A set of sepia of all drafting undertaken in conjunction with the final Concept Plan is to be submitted to the client at the completion of the study.

J. Proposal Submissions and Fees

Only consulting firms experienced in recreation/land use planning with particular emphasis on waterfront development are requested to submit a proposal.

The proposal should be submitted based on a total, all inclusive, budget of \$50,000. A cost breakdown is to be included covering the following:

- preparation of Concept Plan alternatives
- preparation of preferred Concept Plan
- meetings with steering committee and Conservation Areas  
Advisory Board and City Planning and Development Committee
- public participation component
- sub-consultants' fees
- report preparation
- report printing and binding
- disbursements and contingencies.

Proposals should be brief but in sufficient detail to indicate your firm's creative ability and potential for successfully achieving the requirements of this very challenging project.

K. Consultant's Qualifications

Within the proposal, the consultant shall indicate the principal(s) of the firm or firms, the composition and numerical size of the firm(s), location of head office and branch office, the length of time the principal(s) have been in practice, the

qualifications and experience of the firm or firms, by personnel who will be included with this project and the length of time each staff member has been employed with the firm(s). The proposal shall identify the project manager and clearly state the qualifications and experience of said individual. In addition, the proposal shall include a list of the firm's or firms' experience relevant to their ability to complete this study.

L. Existing Information Available

The Conservation Authority will endeavour to make available to the selected consultant the following information:

- 1) the Hamilton-Wentworth Waterfront Study, 1974
- 2) the Confederation Park Master Landscape and Development Plan 1985
- 3) the Wild Waterworks Feasibility Study, Confederation Park, 1982
- 4) Report by Moore/George Associates Inc., 1985 being a Review of Existing Policy and Future Considerations for the Hamilton Beach Strip
- 5) Conservation Authority minutes of meetings and staff reports.
- 6) Official Plan for the City of Hamilton 1982.
- 7) City of Hamilton Minutes of Meetings and staff reports.

Any other relevant material that may become available

M. Deadline for Proposals

The consultant shall submit ( ) copies of his proposal to the

Hamilton Region Conservation Authority

P.O. Box 7099

838 Mineral Springs Road

Ancaster, Ontario L9G 3L3

Attention: Mr. B.W. Vanderbrug

General Manager

on or before 1986, 1:00 p.m., local time.

Following receipt of the proposals, Authority staff will contact selected consultants for the purpose of arranging an interview with steering committee members and Authority and City staff.

The Conservation Authority reserves the right to accept or reject any and all proposals and to amend, vary, or negotiate any items of these terms of reference, generally or with any individual consultant who has submitted a proposal.

For administrative purposes, Mr. Robert Chrystian, Authority staff, will service as co-ordinator for this project. Mr. David Godley, Planning Department, Region of Hamilton-Wentworth, will serve as alternate and will work with the co-ordinator to ensure proper liaison with the City of Hamilton.

For additional information or other enquiries, please contact Mr. Robert W. Chrystian, Director of Planning & Engineering, Authority Administrative Office, Ancaster - telephone (416) 525-2181. Alternatively, Mr. Godley may be contacted at City Hall, Hamilton, 526-4229.





## B U D G E T - 1986

## EXPENDITURES:

Cristmas Lights .....	2,000.00
Street Beautification .....	5,000.00
Special Events .....	10,000.00
Advertising ( BIA Identification, Festivals, Coupon Book, Newspaper, Etc.) .....	19,000.00
Market Research Studies .....	4,000.00
Administration .....	6,000.00
Fund or unpaid levies .....	3,000.00
	<hr/>
	49,000.00

## REVENUE:

B I A Levy .....	49,000.00
Federal Grant .....	?
Provincial Grant .....	?
City of Hamilton (Cristmas Lights) .....	1,000.00
	<hr/>
	50,000.00

Appendix "F" as referred to in Item 10i  
of the Second Report for 1986 of the  
Planning and Development Committee.



November 18, 1985

DEPARTMENT OF COMMUNITY DEVELOPMENT  
City Hall  
Hamilton - Ontario

Att. Mr. E. Kowalski, Director

Dear Sir:

Ref. JAMESVILLE - B.I.A. BUDGET 1986

In reference to our 1986 Budget, assuming that the City Council will approve it, we would like to propose the following schedule of payments for 1986:

1st. January .....	10,000.00
1st. March .....	10,000.00
1st. April .....	10,000.00
1st. May .....	10,000.00
1st. June .....	<u>9,000.00</u>
Total .....	49,000.00

Hoping this will meet your approval we remain,

Sincerely yours

  
Philip Viana  
Treasurer - Jamesville B.I.A.

Appendix "G" as referred to in Item  
10(iii) of the Second Report of the  
Planning and Development Committee.

"Jamesville" Business Improvement Area  
Proposed Board of Management

President	Doug Robbins	Robbinex 238 James St. W. Hamilton, Ontario L8R 2L3 523-7510
Vice President	Sid Leon	Irvings Famous Clothes Ltd. 62 James St. N. Hamilton, Ontario L8R 2K5 522-7381
Secretary	Brad Clark	Hodgskiss Studios Ltd. o/b Thomas Clark Inc. 68 James St. N. Hamilton, Ontario L8R 2K5 529-2586
Treasurer	Phil Viana	Acadia Travel Services Inc. 233 James St. N. Hamilton, Ontario L8R 2L2 522-3325
L. Bornstein		Gordon & Son Furs Ltd. 169 James St. N. Hamilton, Ontario L8R 2K9 527-2552
Ron Corsini		Corsini Supermarket 340 James St. N. Hamilton, Ontario L8L 1H2 527-2826
Mario Giammichele		Mario Custom Tailor 243 James St. N. Hamilton, Ontario L8R 2L2 528-3978
Irving Miller		Miller's Shoe Store 140 James St. N. Hamilton, Ontario L8R 2K7 527-1950
Janet Morgan		J & J Pro Hardware 205 James St. N. Hamilton, Ontario L8R 2L2 527-2331
Morty Morgenstern		Nandor-Morgenstern Enterprises Ltd. 213 James St. N. Hamilton, Ontario

(Continuation)

- 2 -

"Jamesville" Business Improvement Area  
Proposed Board of Management

Harvey Organ

Kohler Drug Store Ltd.  
32 James St. N.  
Hamilton, Ontario  
L8R 2K1 527-1716

Guido Ricca

Ricca's Furniture Ltd.  
228 James S. N.  
Hamilton, Ontario  
L8R 2L3 529-8030

Guy Ricca

Factory Furniture Mart  
245 James St. N.  
Hamilton, Ontario  
L8R 2L2 522-5222

Jerry Sherman

Jerry's Man's Shop  
155 James St. N.  
Hamilton, Ontario  
L8R 2K3 527-7844

Oscar Simoes

Oscars Travel Agency  
231 James St. N.  
Hamilton, Ontario  
L8R 2L2 522-1421



# DOWN TOWN PROMENADE

SCHEDULE 'A' *I*

## BUDGET 1986

### EXPENDITURES:

#### PROMOTION

MEDIA	\$ 37,000.00
EVENTS	26,000.00
RESERVE	5,500.00

#### COMMUNICATIONS

1,500.00

#### BEAUTIFICATIONS

5,000.00

#### ADMINISTRATION

SALARIES	36,000.00
OTHER	7,000.00

#### RESERVE - UNPAID LEVIES (1986)

5,000.00

#### CONTINGENCY

2,000.00

\$125,000.00

=====

### REVENUES:

B.I.A. LEVY

\$125,000.00

FEDERAL GRANT

4,000.00

PROVINCIAL GRANT

3,000.00

CITY OF HAMILTON

1,000.00

\$133,000.00

=====

Appendix "I" as referred to in Item  
11 (i) of the Second Report of the  
Planning and Development Committee.

# DOWN TOWN PROMENADE

SCHEDULE 'B'

December 3, 1985

Department of Community Development  
City Hall  
71 Main Street West  
Hamilton, Ontario  
L8P 1H4

Dear Sirs:

We are pleased to enclose our proposed budget for 1986 for approval by City Council.

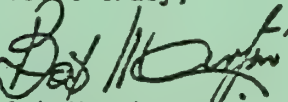
The proposed budget as outlined makes a request for a levy of \$125,000.00, a \$5,000.00 increase over 1985 which represents an increase of 4.2 percent to cover the inflation factor.

We understand that, at the present time, the "Deemed Uncollectable" levies amount to approximately \$7,000.00. May we suggest that this amount be deducted from our January and February advances in the amounts of \$3,500.00 and \$3,500.00 respectively. Over and above this amount, we will continue to hold \$5,000.00 in reserve pending a final calculation of the shortfall sometime in 1986.

Assuming approval of our budget, we should like to propose the undernoted schedule of payments for 1986.

We look forward to hearing further from you, and will make ourselves available to appear before the appropriate committee on request.

Yours truly,

  
Bob Martin,  
Executive Director

BM/bl

January 1, 1986	\$12,000.00	July 1, 1986	\$12,000.00
February 1, 1986	\$12,000.00	August 1, 1986	\$12,000.00
March 1, 1986	\$10,000.00	September 1, 1986	\$10,000.00
April 1, 1986	\$10,000.00	October 1, 1986	\$10,000.00
May 1, 1986	\$10,000.00	November 1, 1986	\$ 8,000.00
June 1, 1986	\$11,000.00	December 1, 1986	\$ 8,000.00
		<b>TOTAL</b>	<b>\$125,000.00</b>
			=====

Board of Management, Downtown Hamilton B/  
P.O. Box 1023, Station A, Hamilton, Ontario L8N 3R4 Tele

Appendix "J" as referred to in Item  
11 (iii) of the Second Report of the  
D-39 Planning and Development Committee.

# DOWN TOWN PROMENADE

SCHEDULE 'A' - K

## PROPOSED LIST OF MEMBERS

### BOARD OF MANAGEMENT 1986 TO 1988

B. Massey	- Royal Connaught Hotel
P. Pappas	- Grapes and Things
P. Roberts	- Continental Bank of Canada
D. Wessel	- Terminal Towers
R. Harris	- Harris and Henderson
J. Livingston	- J. Livingston Furs
P. Sefarian	- Paul's Shoe Repair
M. Kampen	- Woolworths Department Store
W. Gerofsky	- Leeds of Hamilton
D. Marissen	- Durward, Jones, Barkwell and Co.
T. Olver	- Guaranty Trust Company
M. Pocius	- Park Place
M. Caplan	- Caplan's Gentlemen's Apparel
J. Ross	- Ross Ladies Wear
T. Miele	- Holiday Inn

Appendix "K" as referred to in Item  
11.(iv) of the Second Report of the  
Planning and Development Committee.

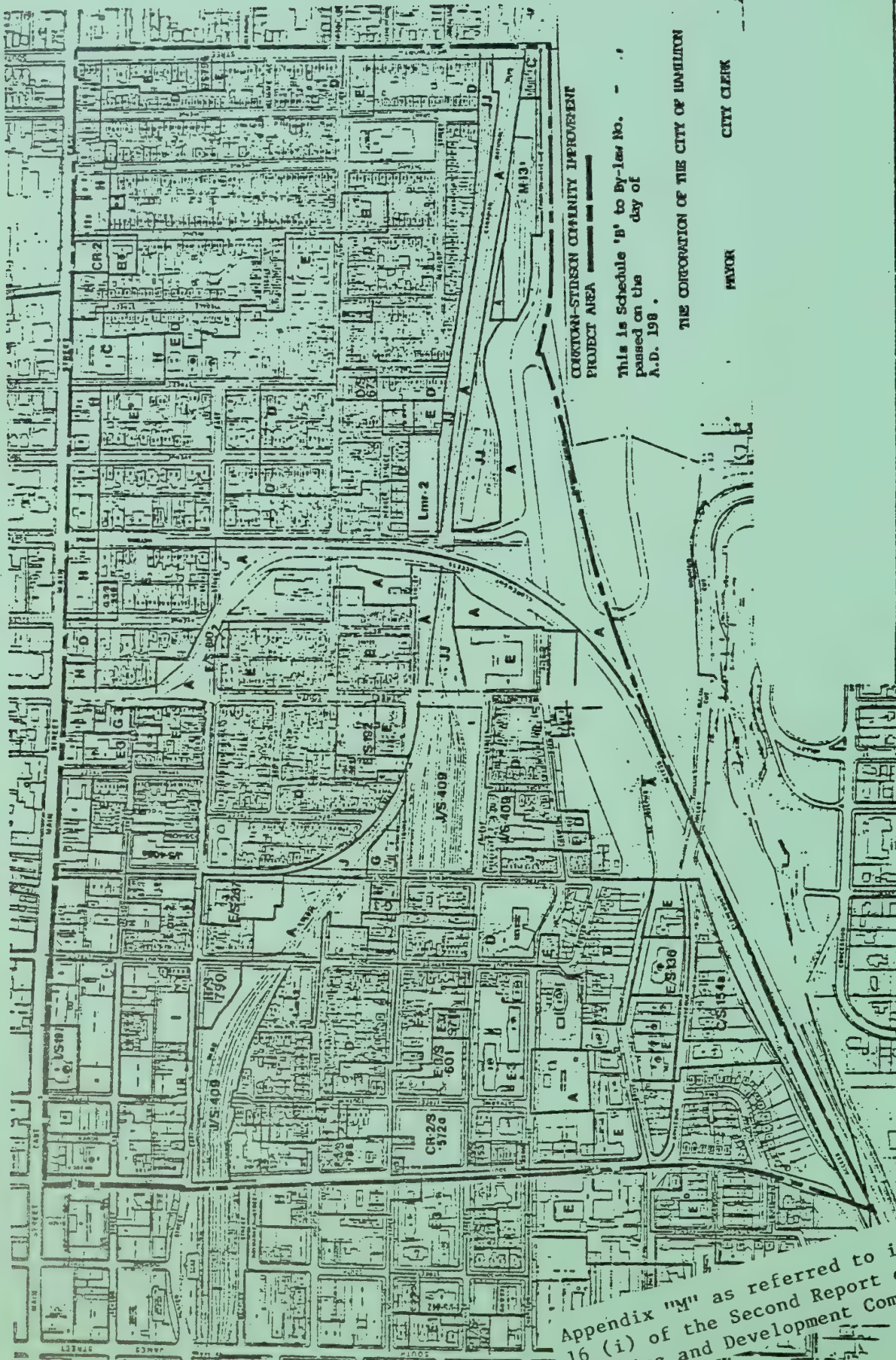




This is Schedule "B" to By-law No.  
of , 19 .

Appendix "L" as referred to in Item 14 (iv) of the Second Report of the Planning and Development Committee.





DOWNTOWN HAMILTON  
ACTION PLAN:  
PHASE II REDEVELOPMENT  
PLAN

ADDENDUM #1

PHASE III : THE THIRD  
PRIORITY ACTIONS

CORPORATION OF  
THE CITY OF HAMILTON,  
1985 DECEMBER

Appendix "N" as referred to in Item  
17(i) of the Second Report of the  
Planning and Development Committee.

DOWNTOWN HAMILTON  
ACTION PLAN:  
PHASE II REDEVELOPMENT PLAN

ADDENDUM #1  
PHASE III: THE  
THIRD PRIORITY ACTIONS

INTRODUCTION:

BACKGROUND AND DESIGN OBJECTIVES

AS OUTLINED IN THE REDEVELOPMENT PLAN, RELATIVE TO THE SCHEDULING OF THE FOUR TYPES OF STREETScape IMPROVEMENT, PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, SCHEDULED FOR IMPLEMENTATION IN 1986, PRESENTLY INCLUDES 'TYPICAL TREATMENT' (I.E., NEW, DECORATIVE SIDEWALK PAVING; BURIAL OF OVERHEAD, PHYSICAL PLANT; PEDESTRIAN-SCALE LIGHTING WITH BANNERS ON POLES; AND, BENCHES AND LITTER CONTAINERS) TO THE FOLLOWING STREETS:

- HUGHSON, FROM MAIN  
TO KING WILLIAM;
- JOHN, FROM MAIN  
TO KING WILLIAM; AND,
- KING WILLIAM, FROM  
JOHN TO CATHARINE



IN ADDITION, 'PARTIAL TREATMENT' - INCLUDING TREE PLANTING, BANNERS ON EXISTING AND NEW POLES AND, BENCHES AND LITTER CONTAINERS - WILL BE IMPLEMENTED, WHERE PHYSICALLY POSSIBLE, ON ALL OTHER STREETS WITHIN THE STUDY AREA HAVING DISCONTINUOUS RETAIL FRONTAGE AND/OR, WHERE NO BUILDINGS OCCUR AT ALL (I.E., VACANT LOTS, PARKING LOTS, ETC.); SPECIFICALLY: REBECCA, KING WILLIAM, MAIN, HUGHSON, JOHN, CATHARINE, MARY, WALNUT, FERGUSON, JARVIS, SPRING AND, WELLINGTON.

FURTHER AND, ALSO AS PART OF PHASE III, WILL BE THE IMPLEMENTATION OF THE 'GATEWAY TREATMENT' AT FIVE, MAJOR ENTRY INTERSECTIONS INTO THE STUDY AREA/CENTRAL BUSINESS DISTRICT (I.E., YORK AT BAY, JAMES AT YORK, KING AT WELLINGTON, JOHN AT MAIN AND, MAIN AT BAY); WHICH DEVELOPMENT INVOLVES THE ESTABLISHMENT OF SMALL (APPROX' 8.5M x 8.5M), PASSIVE PARKETTES WITH TREES, SHRUBS, LIGHTING, SCULPTURE "COURT" AND, SEATING AND INFORMATION SIGNS.

#### APPOINTMENT OF DESIGN CONSULTANTS

AT ITS MEETING HELD 1985 MAY 14, CITY COUNCIL, IN ADOPTING SECTION 17., THE FOURTEENTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, APPROVED THE RETENTION OF THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY TO UNDERTAKE THE DESIGN, CONTRACT PREPARATION AND, SUBSEQUENT CONSTRUCTION SUPERVISION OF THE FIVE GATEWAY TREATMENTS OF PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN.

SUBSEQUENTLY AND, BASED UPON PREVIOUS EXPERIENCE; INTER-FACE WITH PRIOR PHASES AND OTHER FEATURES OF THE TOTAL PROJECT (I.E., PHASES I AND II); FEES; AND, ASSIGNED STAFF, CITY COUNCIL, AT ITS MEETING HELD 1985 AUGUST 27, IN ADOPTING SECTION 24., THE TWENTY-FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, FURTHER APPROVED:



'THAT THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, BE RETAINED TO PREPARE THE DESIGN, IMPLEMENTATION DRAWINGS, SPECIFICATIONS, TENDER FORMS AND, OTHER INFORMATION NECESSARY FOR THE CITY OF HAMILTON TO OBTAIN COMPETITIVE TENDERS FOR THE PHASE III EXTENSION OF THE DOWNTOWN ACTION PLAN, IN ACCORDANCE WITH THEIR (THE ARCHITECT'S) WRITTEN PROPOSAL DATED 1985 JUNE 24...'

THE THIRD PHASE BEING AN EXTENSION OF THE FIRST AND SECOND PHASES AND, IN ORDER TO PROVIDE DESIGN CONTINUITY AND MAINTAIN THE ALREADY ESTABLISHED, HIGH LEVEL OF TECHNICAL CO-ORDINATION WITH GOVERNMENT AND UTILITY OFFICIALS, IT WAS BOTH LOGICAL AND REASONABLE TO FURTHER RETAIN THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY.

#### STUDY APPROACH

FROM THEIR MOST RECENT APPOINTMENT BY CITY COUNCIL (I.E., 1985 MAY 14 AND, 1985 AUGUST 27) UP TO, AND INCLUDING THE PRESENT, THE CONSULTANT HAS UTILIZED THE FOLLOWING, BASIC STUDY APPROACH:

-BASED ON THE GENERAL, CONCEPTUAL FRAMEWORK OF THE DOWNTOWN HAMILTON ACTION PLAN, DU TOIT ASSOCIATES, LTD.; SUBSEQUENT AND ONGOING REVIEW OF PUBLIC-TRANSIT AND, TRAFFIC RELATED ISSUES; A THOROUGH UNDERSTANDING OF THE CONCERNS OF BOTH THE BROADER, AND IMMEDIATE COMMUNITY; AND, A REVIEW OF PROPOSALS WITH MR. R. DU TOIT, A SCOPE-OF-WORK AND CONCEPT PLANS WERE DEVELOPED FOR BOTH THE GATEWAYS AND ALL OTHER STREETS WITHIN THE STUDY AREA.

THESE CONCEPT PLANS WERE SUITABLE FOR INTERNAL, TECHNICAL DISCUSSION AND, WITH BASIC REFINEMENT, SUITABLE FOR PUBLIC REVIEW. PLANNING/DESIGN MEETINGS WERE HELD BI-WEEKLY WITH THE DOWNTOWN ACTION PLAN CO-ORDINATING COMMITTEE OF THE PLANNING AND DEVELOPMENT COMMITTEE; WHICH FORMER COMMITTEE INCLUDES REPRESENTATION FROM THE DOWNTOWN BUSINESS IMPROVEMENT AREAS (B.I.A.'S).

-IN ADDITION TO APPRECIATING THE NEEDS AND SENSITIVITIES OF EFFECTED BUSINESSES AND OWNERS, IT HAS BEEN CRITICAL TO UNDERSTAND THE IMPLICATIONS OF STREET AND UTILITY UPGRADING AND, TO LIAISE WITH APPROPRIATE STAFF OF THE AREA AND REGIONAL MUNICIPALITY; THE BOARD OF EDUCATION FOR THE CITY OF HAMILTON; AND, THE VARIOUS "UTILITIES" (E.G., HYDRO-ELECTRIC, GAS AND, TELEPHONE).

-SPECIFICALLY, THE SCOPE OF WORK GENERALLY INCLUDES:

CHANGES TO CURB ALIGNMENTS AS APPROPRIATE AND ACCEPTABLE.

RELOCATION OF UTILITIES.

SIDEWALK PAVING AND DESIGN.

PEDESTRIAN-SCALE LIGHTING  
(GATEWAYS AND 'TYPICAL TREATMENT').

STREET FURNITURE (BENCHES, LITTER  
CONTAINERS, INFORMATION KIOSKS,  
BICYCLE RACKS, ETC.).

SPECIAL USE AREAS.  
(E.G., "SCULPTURE COURT").

TREE AND SHRUB PLANTINGS.

OTHER SITE FEATURES, AS APPROPRIATE.

- THE REVIEW PROCESS WITH STAFF AND, INPUT FROM THE BUSINESS COMMUNITY TO CULMINATE WITH AN ACCEPTABLE, DETAILED DESIGN PLAN INDICATING AN AGREED-UPON ARRANGEMENT OF THE ABOVE CONSIDERATIONS.
- THE COUNCIL-APPROVED DESIGN PLANS TO BE DEVELOPED INTO IMPLEMENTATION DRAWINGS, SUITABLE FOR TENDERING, WITH FULL CO-ORDINATION RELATED TO MUNICIPAL, AND OTHER PUBLIC UTILITY REQUIREMENTS.

## IMPLEMENTATION

AT ITS MEETING HELD 1985 AUGUST 27, CITY COUNCIL, IN ADOPTING SECTION 23., THE TWENTY-FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, APPROVED THE "GATEWAY TREATMENT" CONCEPT - PREPARED BY MOORHEAD FLEMING CORBAN MCCARTHY, DATED 1985 JULY AND ATTACHED, HERETO, AS APPENDIX 'A' - FOR IMPLEMENTATION AT THE FIVE, MAJOR "GATEWAY" INTERSECTIONS WITHIN THE STUDY AREA OF THE DOWNTOWN HAMILTON ACTION PLAN (I.E., YORK AT BAY, JAMES AT YORK, KING AT WELLINGTON, JOHN AT MAIN AND, MAIN AT BAY) AND, FURTHER, AUTHORIZED AND DIRECTED THAT APPROPRIATE AGREEMENTS BE PREPARED AND EXECUTED WITH THE REGION OF HAMILTON-WENTWORTH AND, THE BOARD OF EDUCATION FOR THE CITY OF HAMILTON WHERE LANDS OF THOSE PUBLIC BODIES WERE INVOLVED.

SUBSEQUENTLY, THE PROTOTYPICAL GATEWAY CONCEPT, AS APPROVED, WAS FURTHER DEVELOPED SO AS TO CONFORM TO THE PHYSICAL SITE CONDITIONS AND GEOMETRICS OF EACH OF THE FIVE LOCATIONS AND, APPENDED HERETO, AS APPENDIX 'B', DATED 1985 NOVEMBER 28, IS THE 'KEY PLAN' AND THE FIVE SPECIFIC SITE PLANS. FURTHER APPENDED HERETO, AS APPENDIX 'B1', AND ALSO DATED 1985 NOVEMBER 28, IS THE COST ESTIMATE FOR IMPLEMENTATION OF THE "GATEWAY TREATMENT".



AS TO THE STREETScape IMPROVEMENT TO ALL OTHER STREETS WITHIN THE STUDY AREA - DESCRIBED, GENERALLY, IN THE 'INTRODUCTION: BACKGROUND AND DESIGN OBJECTIVES' - APPENDED HERETO AS APPENDIX 'C', DATED 1985 NOVEMBER 28, ARE DRAWINGS S1 AND S2 SHOWING, SCHEMATICALLY, THE PROPOSED ALTERATIONS TO HUGHSON AND JOHN STREETS, BETWEEN MAIN AND KING WILLIAM AND, KING WILLIAM STREET, BETWEEN JOHN AND CATHARINE. FURTHER APPENDED HERETO, AS APPENDIX 'C1', AND, ALSO DATED 1985 NOVEMBER 28, ARE THE ELEMENTS AND COST ESTIMATES FOR IMPLEMENTATION OF THE STREET-SCAPE IMPROVEMENTS OF PHASE III.



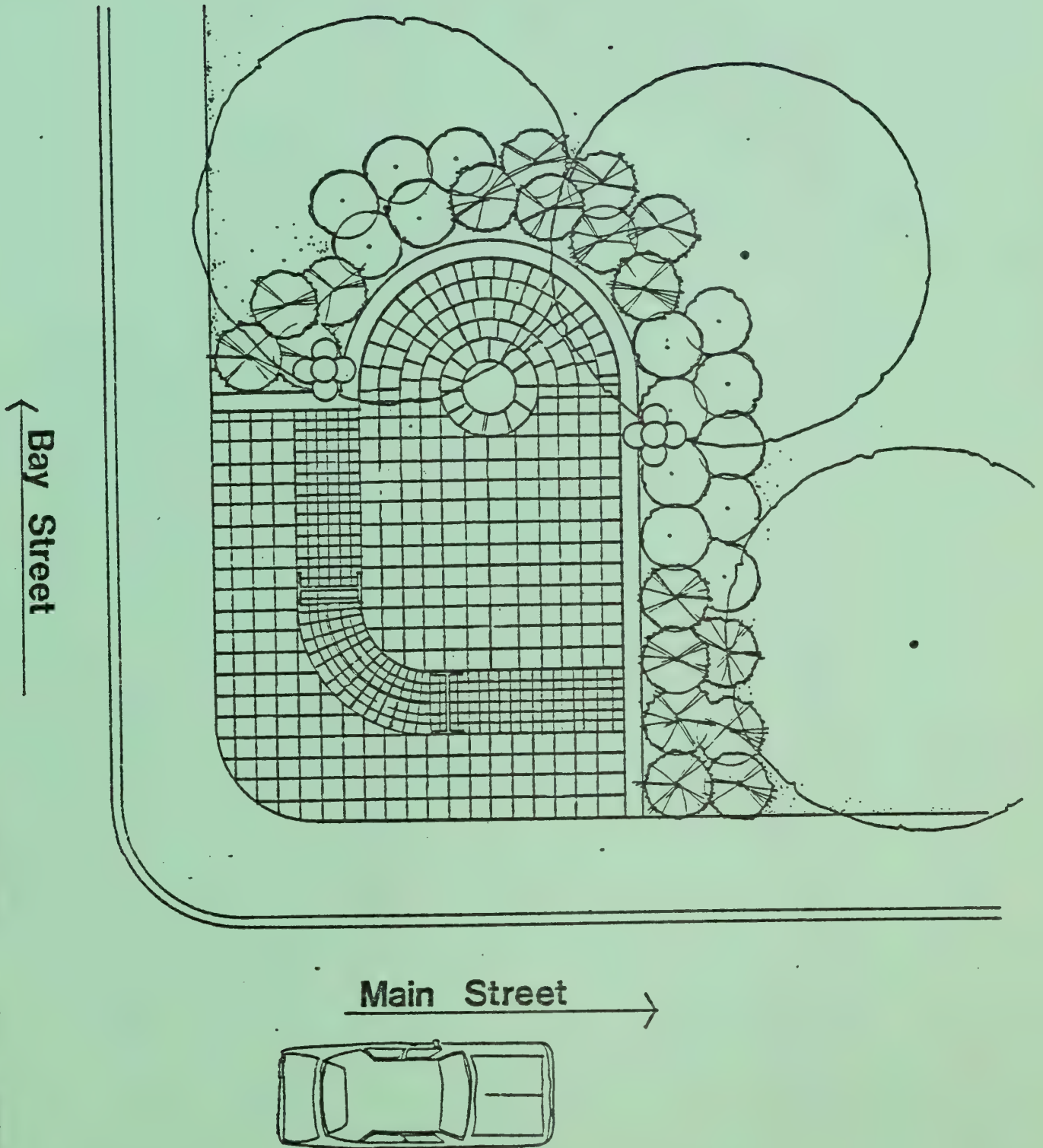
COMMERCIAL AREA IMPROVEMENT  
PROGRAMME (C.A.I.P.):

PROVINCIAL/MUNICIPAL COST-SHARING

WITH THE DECISION OF CITY COUNCIL TO INCLUDE, IN THE 1985-1989 CAPITAL BUDGET, PROVISION TO IMPLEMENT PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, CITY COUNCIL AT ITS MEETING HELD 1985 FEBRUARY 26, IN ADOPTING SUB-SECTION (D), SECTION 14., THE FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED AND DIRECTED THAT APPLICATION BE MADE, TO THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING, SEEKING FINANCIAL ASSISTANCE PURSUANT TO THE PROVISIONS OF THE COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.) RELATIVE TO THE PHASE III IMPLEMENTATION MEASURES.

SUBSEQUENTLY, BY LETTER DATED 1985 APRIL 19, THE THEN MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, THE HONOURABLE DENNIS R. TIMBRELL ADVISED THAT, PURSUANT TO THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1985-86 FISCAL YEAR, THE CITY OF HAMILTON HAD BEEN ALLOCATED FOUR HUNDRED THOUSAND DOLLARS (\$400 000) PURSUANT TO THE PROVISIONS OF THE C.A.I.P.

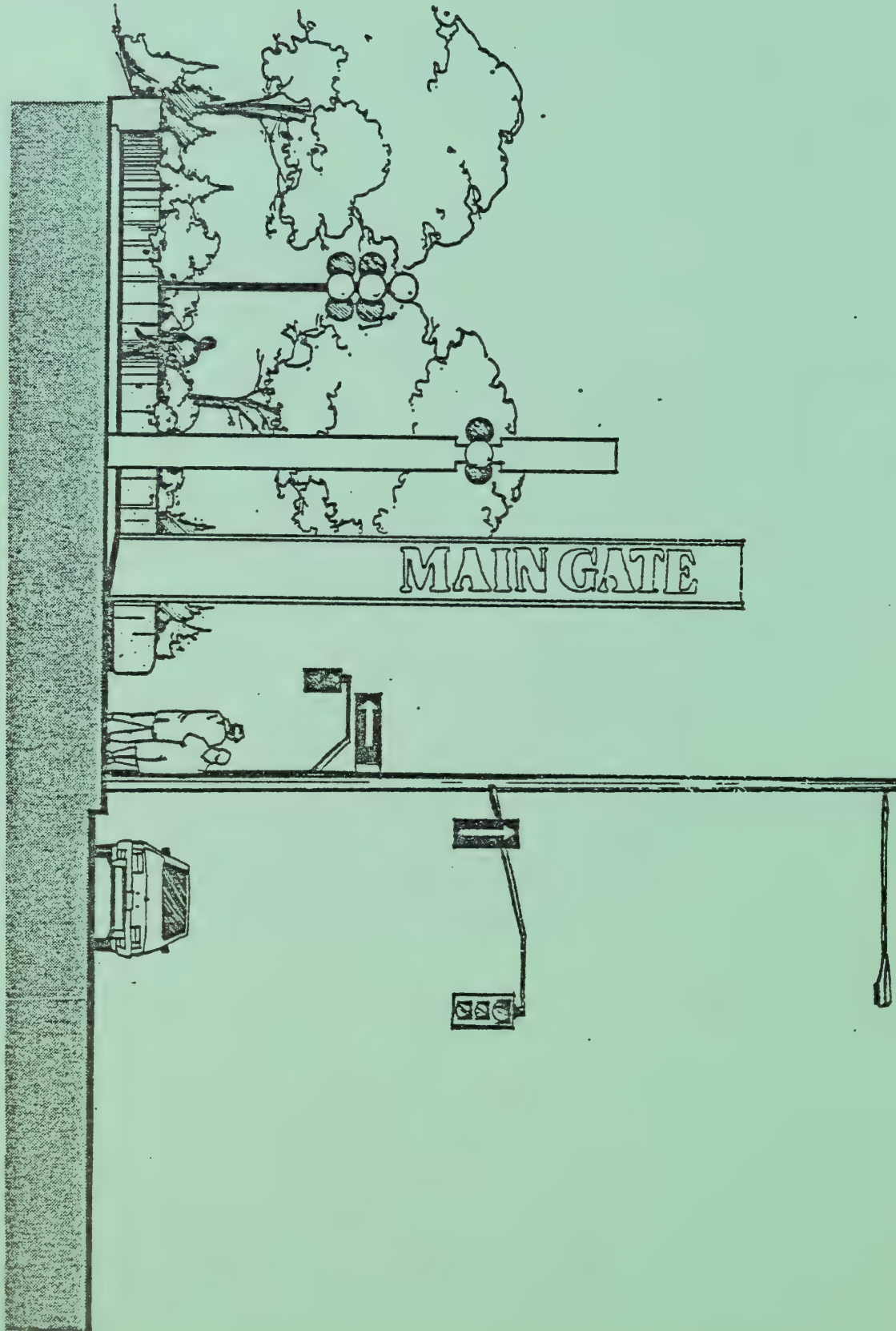
SCHEDULES I AND II OF THIS APPENDIX PROVIDE, RESPECTIVELY, 'ITEMIZED COST ESTIMATES' AND, A 'C.A.I.P. PROJECT IMPLEMENTATION TIMETABLE AND ESTIMATE OF CASH FLOW', FOR PHASE III ONLY, BASED UPON THE PROVINCIAL ALLOCATION (i.e., \$400 000). CONSEQUENTLY, THE SCHEDULES REFLECT A GROSS PROJECT COST OF ONLY EIGHT HUNDRED THOUSAND DOLLARS (\$800 000), FOR PROVINCIAL ADMINISTRATIVE PURPOSES ONLY.



Downtown Action Plan  
Hamilton, Ontario  
Gateway Treatment  
Preliminary Concept  
July 1985



Urban Design Architects  
230 Queen Street  
Toronto, Ontario  
M5A 1H7  
416 598 8278



Downtown Action Plan  
Hamilton, Ontario  
Gateway Treatment  
Preliminary Concept  
July 1985



Landscape Architecture  
Hamilton Planning  
23 Queen Street  
Toronto, Ontario  
M5H 1T7  
PHONE 366-6235





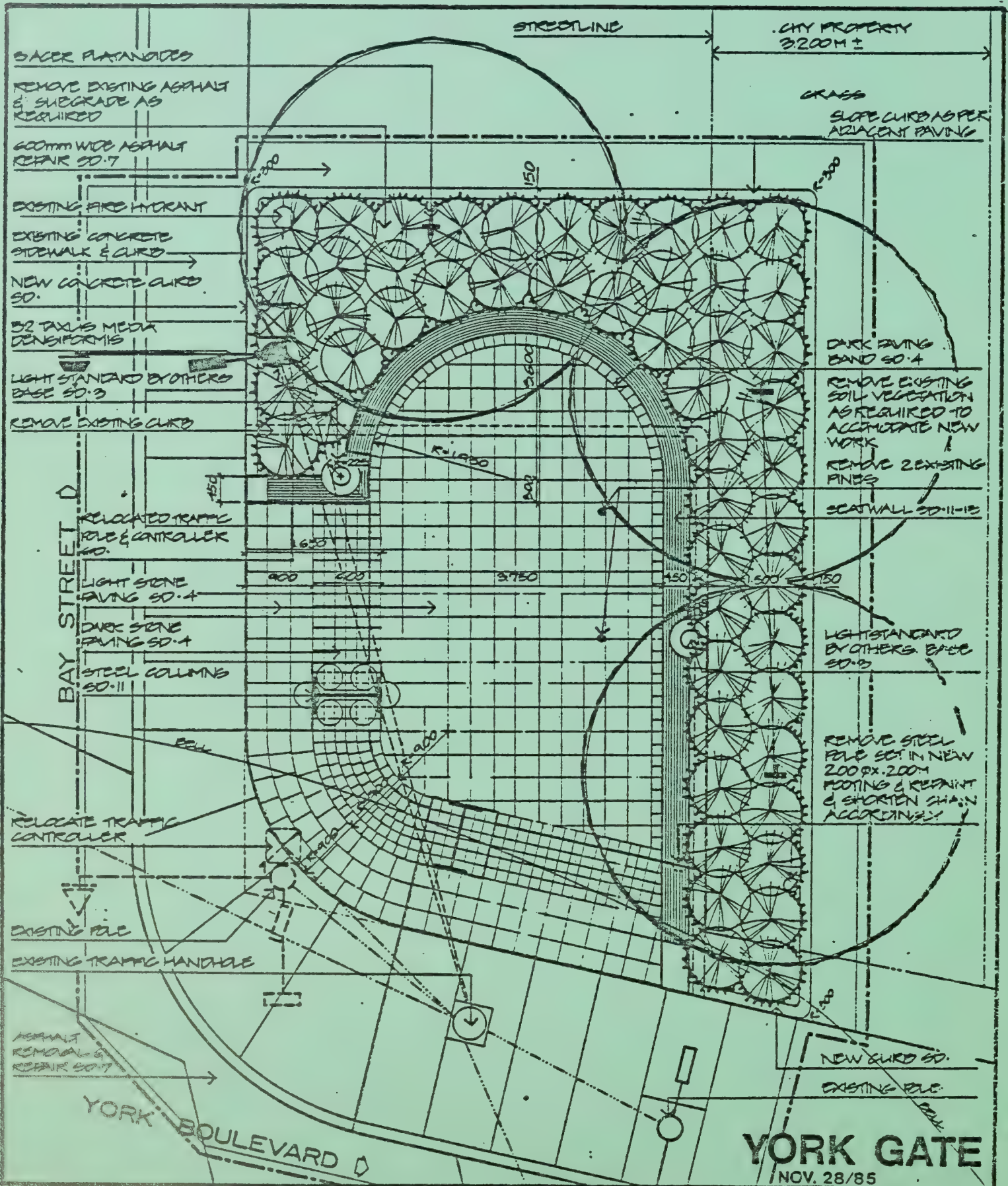
# KEY PLAN

100, 200 metres

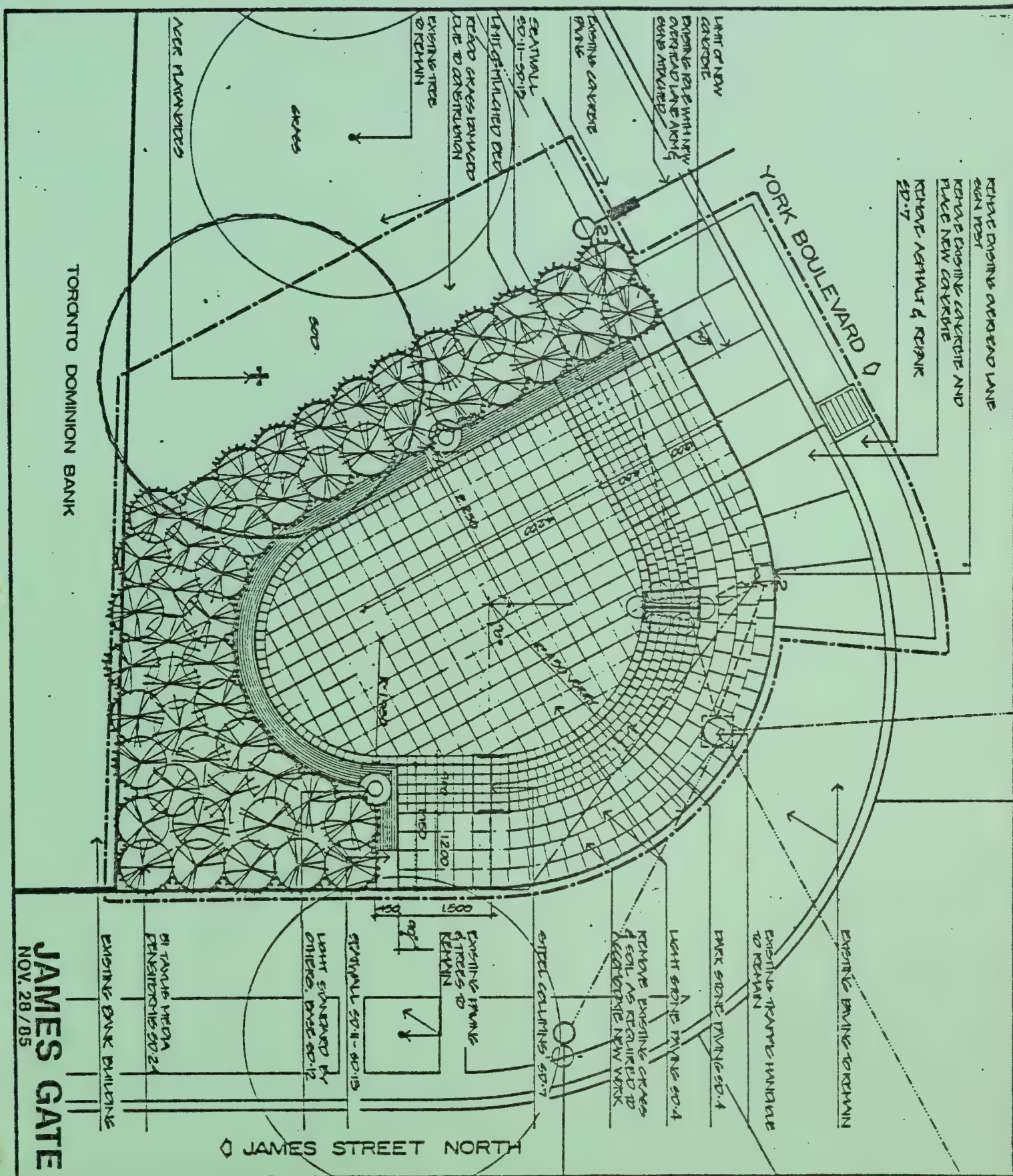
NOV. 28/85



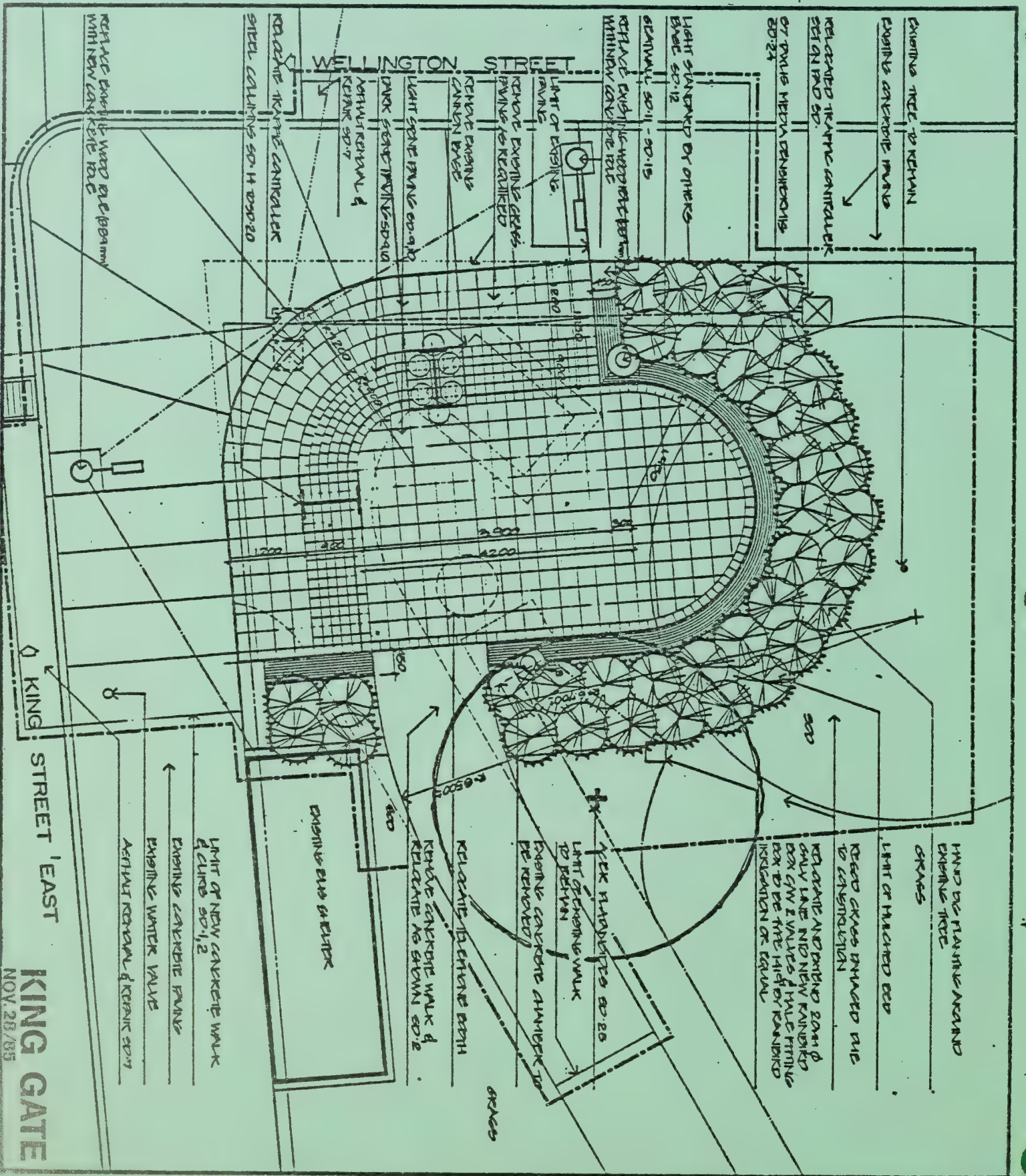














MAIN STREET D

REMOVE EXISTING CONCRETE RAIL CURB WALLS & REPLACE WITH NEW 9" HIGH CONCRETE RAIL SEE SD.

EXISTING LANE MARKING

STEEL GALVANIZED SD. H-SD 20

DARK GRADE PAVING SD. 9.10

LIGHT GRADE PAVING SD. 9.10

CONCRETE PAVES SD. 9

EXISTING CURB SIDEWALK SAND

EXISTING BUS STOP

LIGHT GRADUATED BY OTHERS. DATE SD. 12

ON TRAIL MEDIA DEMONSTRATIONS SD. 2.1

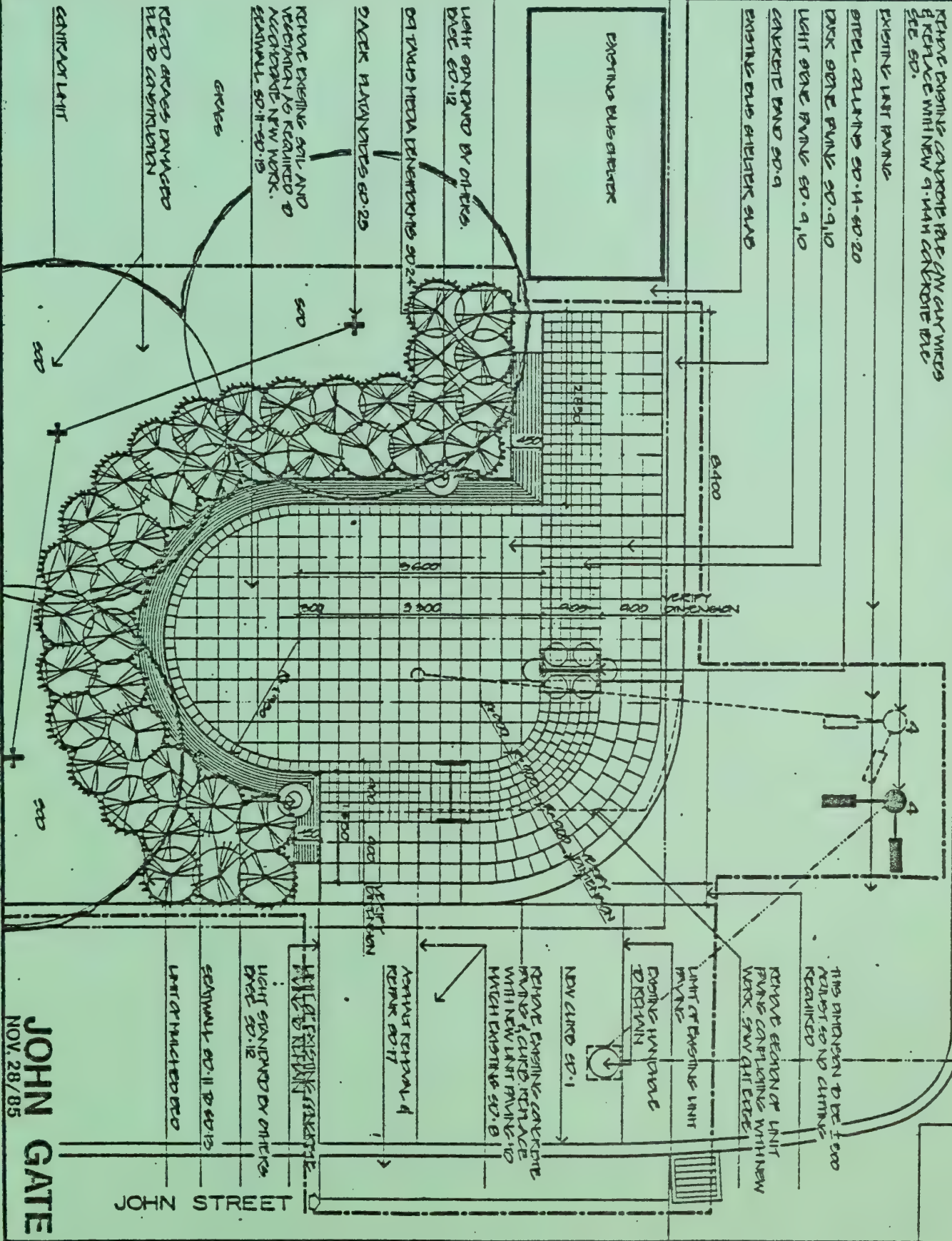
ONCE PLANNED SD. 2.2

REMOVE EXISTING SOIL AND VEGETATION AS REQUIRED TO ACCOMMODATE NEW WORK. SEAWALL SD. 11 SD. 15

CRACKS

REDO AREAS DAMAGED BY CONSTRUCTION

CENTRAL LIGHT



JOHN GATE  
NOV. 28 / 85





Hamilton Gateways-Cost Estimate  
November 28, 1985

	Quantity	Unit	Unit Cost	Total
<b>YORK GATE</b>				
1. Asphalt Removal (23 sq.m.)	1	LS	150.00	150.00
2. Curb Removal	28	m.	6.00	168.00
3. Walk Removal	28	sq.m.	6.00	168.00
4. Tree Removal	2	each	125.00	250.00
5. Soil & Grass Removal	23	cu.m.	5.00	115.00
6. New Curb	35	m.	45.00	1575.00
7. New Concrete Walk	28	sq.m.	30.00	840.00
8. Steel Post Relocate	1	LS	250.00	250.00
9. Seatwall	15	m.	330.00	4950.00
10. Granite Paving	39	sq.m.	300.00	11700.00
11. Lighting & Misc.	1	LS	2000.00	2000.00
12. Trees	3	each	450.00	1350.00
13. Shrubs	52	each	50.00	2600.00
14. Topsoil	17	cu.m.	13.00	221.00
15. Traffic Pole & Controller	1	LS	4500.00	4500.00
16. Steel Columns	1	LS	20000.00	20000.00
17. Clock	1	each	5000.00	5000.00
SUB-TOTAL				55837.00
<b>JAMES GATE</b>				
1. Asphalt Removal (2 m.)	1	LS	50.00	50.00
2. Curb Removal (3 m.)	1	LS	30.00	30.00
3. Walk Removal (4.5 sq.m.)	1	LS	50.00	50.00
4. Soil & Grass Removal	25	cu.m.	5.00	125.00
5. New Curb	3	m.	45.00	135.00
6. New Concrete Walk	4.5	cu.m.	30.00	135.00
7. Granite Paving	48	cu.m.	300.00	14400.00
8. Seatwall	13	m.	330.00	4290.00
9. Lighting	1	LS	2000.00	2000.00
10. Tree	1	each	450.00	450.00
11. Shrubs	51	each	50.00	2550.00
12. Topsoil	13	cu.m.	13.00	169.00
13. Traffic Pole Relocation	1	LS	2000.00	2000.00
14. Steel Columns	1	LS	20000.00	20000.00
15. Clock	1	LS	5000.00	5000.00
SUB-TOTAL				51384.00



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MAIN GATE

1. Asphalt Removal (10.5 cu.m.)	1	LS	100.00	100.00
2. Curb Removal	17.5	m.	6.00	105.00
3. Walk Removal	40	cu.m.	6.00	240.00
4. Soil & Grass Removal	25	cu.m.	5.00	125.00
5. New Curb	17.5	m.	45.00	787.50
6. New Concrete Walk	40	cu.m.	30.00	1200.00
7. Granite Paving	45	cu.m.	300.00	13500.00
8. Seatwall	15.5	m.	330.00	5115.00
9. Lighting	1	LS	2000.00	2000.00
10. Tree	2	each	450.00	900.00
11. Shrubs	47	each	50.00	2350.00
12. Topsoil	14	cu.m.	13.00	182.00
13. Traffic Pole Relocation	1	LS	4500.00	4500.00
14. Steel Columns	1	LS	20000.00	20000.00
15. Clock	1	LS	5000.00	5000.00

SUB-TOTAL

56104.50

KING GATE

1. Asphalt Removal (12 cu.m.)	1	LS	100.00	100.00
2. Curb Removal	18	m.	6.00	108.00
3. Walk Removal	55	cu.m.	6.00	330.00
4. Monument Removal	1	LS	200.00	200.00
5. Bell Relocation	1	LS	1500.00	1500.00
6. Water Line Relocation	1	LS	1500.00	1500.00
7. Sod & Soil Removal	25	cu.m.	5.00	125.00
8. New Curb	16	m.	45.00	720.00
9. New Concrete Walk	57	cu.m.	30.00	1710.00
10. Granite Paving	42	cu.m.	300.00	12600.00
11. Seatwall	14	m.	330.00	4620.00
12. Lighting	1	LS	2000.00	2000.00
13. Shrubs	37	each	50.00	1850.00
14. Trees	1	each	450.00	450.00
15. Topsoil	11	cu.m.	13.00	143.00
16. Controller Relocation & New Concrete Poles	1	LS	6000.00	6000.00
17. Steel Column	1	LS	20000.00	20000.00
18. Clock	1	LS	5000.00	5000.00

SUB-TOTAL

58956.00

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**JOHN GATE**

1. Asphalt/Curb Removal (4.5m.)	1	LS	100.00	100.00
2. Soil & Vegetation Removal	26	cu.m.	5.00	130.00
3. New Curb	4.5	m.	45.00	202.50
4. New Unit Paving	16	cu.m.	45.00	720.00
5. Granite Paving	48	cu.m.	300.00	14400.00
6. Seatwall	14.5	cu.m.	330.00	4785.00
7. Lighting	1	LS	2000.00	2000.00
8. Shrubs	39	each	50.00	1950.00
9. Trees	3	each	450.00	1350.00
10. Topsoil	11	cu.m.	13.00	143.00
11. Pole Replacement	1	LS	3000.00	3000.00
12. Steel Columns	1	LS	20000.00	20000.00
13. Clock	1	LS	5000.00	5000.00

**SUB-TOTAL**

53780.50

**SUMMARY**

1. York Gate	55837.00
2. James Gate	51384.00
3. Main Gate	56104.50
4. King Gate	58956.00
5. John Gate	53780.50

**SUB-TOTAL**  
**Contingency 10%**

276062.00

27606.20

**TOTAL**

303668.20

=====







HAMILTON PHASE IIIB

COST ESTIMATE  
November 28, 1985

PARTIAL TREATMENT

	Quantity	Unit	Unit Cost	Total Cost
1. Spring				
a) banners c/w poles	2	ea.	\$1,500.00	\$ 3,000.00
b) banners	1	ea.	150.00	150.00
2. Ferguson (King to Main)				
a) asphalt demolition	340	sq.m.	13.00	4,420.00
b) new curb	170	m	40.00	6,800.00
c) concrete walk	340	sq.m.	35.00	11,900.00
d) banners with poles	2	ea.	1,500.00	3,000.00
e) banners	2	ea.	150.00	300.00
3. Ferguson (King to King William)				
a) trees	27	ea.	1,100.00	29,700.00
b) banners	5	ea.	150.00	750.00
4. Walnut (King to Main)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	2	ea.	150.00	300.00
5. Walnut (King to King William)				
a) trees	14	ea.	1,100.00	15,400.00
b) banners	5	ea.	150.00	750.00
6. Catherine (King to Main)				
a) banners c/w poles	3	ea.	1,500.00	4,500.00
b) banners	1	ea.	150.00	150.00
7. Catherine (King to King William)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
8. John (King William to Rebecca)				
a) Trees	13	ea.	1,100.00	14,300.00
b) banners c/w poles	3	ea.	1,500.00	4,500.00
c) banners	4	ea.	150.00	600.00
9. Hughson (King William to Rebecca)				
a) banners c/w poles	4	ea.	1,500.00	6,000.00
b) banners	6	ea.	150.00	900.00
10. Rebecca (James to Hughson)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
11. Rebecca (Hughson to John)				
a) trees	25	ea.	1,100.00	27,500.00
b) banners c/w poles	2	ea.	1,500.00	3,000.00
c) banners	2	ea.	150.00	300.00



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	Quantity	Unit	Unit Cost	Total Cost
12.Main (Bay to Wellington)				
a) banners	37	ea.	150.00	5,550.00
13.York (Bay to James)				
a) banners	14	ea.	150.00	2,100.00
14.McNab (King to Main)				
a) banners	6	ea.	150.00	900.00
15.King William (John to Wellington)				
a) banners	20	ea.	150.00	3,000.00
16.Wellington (King William to Main)				
a) banners	7	ea.	150.00	1,050.00
17.Jarvis (King William to King)				
a) banners	7	ea.	150.00	1,050.00
18.King at Ferguson				
a) paving at tracks	1	lump sum	10,000.00	10,000.00
Subtotal				171,770.00

FULL TREATMENT

Hughson (King to Main St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	350	sq.m.	8.00	2,800.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. concrete crosswalk	36	sq.m.	60.00	2,160.00
9. light poles	9	ea.	3,000.00	27,000.00
10. traffic poles	1	ea.	5,000.00	5,000.00
11. HSR poles	3	ea.	6,000.00	18,000.00
12. ducting & miscellaneous	185	m	25.00	4,625.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	12	ea.	100.00	1,200.00
Subtotal				114,137.50



-3-

	Quantity	Unit	Unit Cost	Total Cost
Hughson (King to King William St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	390	m	8.00	3,120.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. bus shelters	28	m	1,500.00	42,000.00
9. light poles	9	ea.	3,000.00	27,000.00
10. HSR poles	3	ea.	6,000.00	18,000.00
11. ducting & miscellaneous	170	m	25.00	4,250.00
12. banners	10	ea.	100.00	10,000.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00

Subtotal

157,595.00

John St. (King to Main)

1. asphalt removal	180	sq.m.	13.00	2,340.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	760	sq.m.	8.00	6,080.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	185	m	40.00	7,400.00
7. concrete unit paving	250	sq.m.	45.00	11,250.00
8. concrete paving	510	sq.m.	38.00	19,380.00
9. concrete crosswalk	60	sq.m.	60.00	3,600.00
10. light poles	10	ea.	3,000.00	30,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & miscellaneous	180	m	25.00	4,500.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	10	ea.	100.00	1,000.00
15. benches	8	ea.	600.00	4,800.00
16. trees	5	ea.	450.00	2,250.00

Subtotal

130,172.50

-4-

	Quantity	Unit	Unit Cost	Total Cost
John St. (King to King William)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	615	sq.m.	8.00	4,920.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	205	sq.m.	45.00	9,225.00
8. concrete paving	410	sq.m.	38.00	15,580.00
9. concrete crosswalk	112	sq.m.	60.00	6,720.00
10. light poles	8	ea.	3,000.00	24,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & misc.	170	m	25.00	4,375.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	8	ea.	100.00	800.00
15. trees	23	ea.	450.00	10,350.00
Subtotal				121,645.00

King William (John to Catherine)				
1. asphalt removal	355	sq.m.	13.00	4,615.00
2. curb removal	215	m	8.50	1,827.50
3. sidewalk removal	620	sq.m.	8.00	4,960.00
4. pole removal	7	ea.	200.00	1,400.00
5. new asphalt	125	sq.m.	40.00	5,000.00
6. new curb	215	sq.m.	40.00	8,600.00
7. concrete unit paving	750	sq.m.	45.00	33,750.00
8. stone paving	55	sq.m.	140.00	7,700.00
9. road repaving	1	lump sum	65,000.00	65,000.00
10. concrete crosswalk	80	sq.m.	60.00	4,800.00
11. light poles	12	ea.	3,000.00	36,000.00
12. traffic poles	2	ea.	5,000.00	10,000.00
13. ducting & misc.	205	m	25.00	5,125.00
14. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
15. banners	12	ea.	100.00	1,200.00
16. trees	24	ea.	450.00	10,800.00
17. tree grates	24	ea.	250.00	6,000.00
18. benches	2	ea.	600.00	1,200.00
Subtotal				227,977.50

-5-

SUMMARY

1.	Partial Treatment	\$ 171,770.00
2.	Hughson (K to M)	\$ 114,137.50
3.	Hughson (K to KW)	\$ 157,595.00
4.	John (K to M)	\$ 130,172.50
5.	John (K to KW)	\$ 121,645.00
6.	King William (John to Catherine)	\$ 227,977.50
		<hr/>
	Total	\$ 923,297.50
	10% Contingency	\$ 92,329.75
		<hr/>
	Grand Total	\$1,015,627.25
		<hr/>



THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

Planning and Development Department  
71 Main Street West, Hamilton, Ont. L8N 3T4

ITEM NO. \_\_\_\_\_

November 15, 1985

Refer to File No. P5-4-2-4

Attention of

Your File No.

TO: THE CHAIRMAN AND MEMBERS  
OF THE CITY OF HAMILTON  
PLANNING AND DEVELOPMENT COMMITTEE

SUBJECT

1986 Census Questions on Housing Type

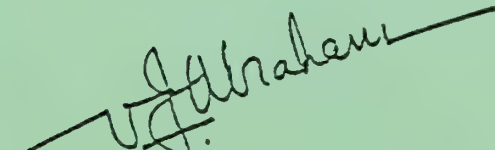
RECOMMENDATION


That this report be forwarded to Council for information.

EXPLANATORY NOTE

A letter received from Honourable Stewart McInnes, Minister responsible for Statistics Canada, outlines the reasons for deleting certain housing-type information from the 1986 Census and other changes to the Census, in response to Council's resolution of October 8, 1985. The Minister asked that his reply be presented to Council.

Respectfully submitted,

  
V. J. Abraham, M.C.I.P.  
Director of Local Planning

  
J. D. Thoms, M.C.I.P.  
Commissioner  
Planning and Development

Appendix "0" as referred to in Item  
17(i) of the Second Report for 1986  
of the Planning & Development Committee



REPORT

On October 8, 1985, City Council passed a resolution requesting the Minister of Supply and Services to reconsider the deletion of vital housing type information from the 1986 Census and to inform the City of any other significant changes to the 1986 Census and future census.

In his reply, the Honourable Stewart McInnes, Minister responsible for Statistics Canada, indicates that the decision to reduce the detail collected by the 1986 Census on structural types of dwelling was one of several measures taken by Cabinet to realize economies on 1986 Census operations.

However, Statistics Canada is willing to consider proposals for collection of more detailed structural type data in Hamilton as part of the 1986 Census, if the collection is fully funded by the municipality. At the Regional level, this is estimated at \$17,500. In this regard, Regional Planning staff are involved with the Regional Information Systems Working Group formed of representatives from all Regions, the City of Toronto and several Provincial Ministries in Ontario. This group is continuing to discuss with Statistics Canada the changes it made relative to housing structure classification. The Ministry of Treasury and Economics at the Provincial level and Canada Mortgage and Housing Corporation at the Federal level are taking the lead in the discussions.

Other changes to the 1986 Census involve the deletion of 1981 questions pertaining to length of residency, number of bathrooms, fuel used for water heating, condition of dwelling, religion, school attendance, fertility and date of first marriage. New questions for the 1986 Census deal with aboriginal peoples, disability and educational specialization. In addition, detailed geographic coding of place of work data will not be done unless funded by users of the data.

VJA:RC:jd

E. A. SIMPSON  
CITY CLERK  
K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

THE CORPORATION OF THE CITY OF HAMILTON  
OFFICE OF THE CITY CLERK

October 10, 1985

The Honourable Mr. Harvie Andre  
Minister of Supply and Services  
House of Commons  
Ottawa, Ontario  
K1A 0A6

Dear Mr. Minister:

Re: 1986 Census Question on Housing Type

City Council, at its meeting of October 8, 1985, passed the following resolutions:

1. That the Minister of Supply and Services be requested to reconsider the deletion of vital housing type information from the 1986 Census and to include the following categories:
  - a) semi-detached and duplex;
  - b) row; and,
  - c) apartment in a building that has less than five storeys.
2. That the Minister of Supply and Services be requested to inform the City of any other significant changes to the 1986 Census and future census.

The reduction in the number of categories on housing type significantly reduces the usefulness of census information to the City. It eliminates the City's ability to identify housing types which form nearly 19% of the City's housing supply. Also affected will be the City's ability to compare 1986 data with that of previous censuses.

In addition, these statistics provide the basis for housing demand forecasts and housing policies. The omission of this data will make it more difficult to identify and monitor Hamilton's housing stock.

Page 2

The Honourable Mr. Harvie Andre  
October 10, 1985

In conclusion, the elimination of this valuable housing-type information will reduce the City's ability to provide detailed housing information. We would like to see this information included in the 1986 and future censuses. We would also request that we be informed of any other significant changes to census information.

Thank you for your consideration.

Yours truly,

E. A. Simpson  
City Clerk

VJA:CF:jd





small, multi-unit residential buildings (e.g. duplexes, row houses, semi-detached houses, town houses, etc.). Council may recall that severe data quality problems were experienced with 1981 Census structural type data when it was attempted to have respondents answer a structural type question. While the new methodology proposed for the 1986 Census would likely have significantly improved the quality of the data, had we retained the nine 1981 categories, the training requirements were simply prohibitively expensive in our present financial circumstances. Available resources are not sufficient to provide the training needed to ensure accurate statistics at the more detailed level of coding.

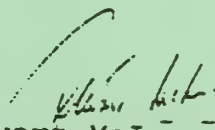
Statistics Canada is, nonetheless, willing to consider proposals for collection of more detailed structural type data in the City of Hamilton as part of the 1986 Census, if this collection is fully funded by the City. In this regard, I would like to advise you that Mr. Lou Lanza of the Planning and Development Department, Regional Municipality of Hamilton-Wentworth, has been in contact with Statistics Canada in regard to the possibility of funding special collection of this data in the regional municipality, which would include the City of Hamilton. I would therefore ask Hamilton City Council to co-ordinate any request for special collection with the Regional Municipality of Hamilton-Wentworth.

With regard to other significant changes to the 1986 Census program, on which Council also requested information, I will use the 1981 Census as the point of comparison. The questions of the 1981 Census not retained for the 1986 Census were those pertaining to length of residency, number of bathrooms, fuel used for water heating, condition of dwelling, religion, school attendance, fertility and date of first marriage. New questions for the 1986 Census deal with aboriginal peoples, disability and educational specialization. In a further effort to reduce 1986 Census costs it has also been decided not to carry out detailed geographic coding of place of work (journey to work) data unless funded by users of the data. I am enclosing for your reference a booklet setting out the final text of the 1986 Census questions.

.../3

I would ask you, Mr. Simpson, to apprise City Council of this response and also of my appreciation for their interest in our program and my regrets that our existing resources will not allow us to meet all of their information needs.

Yours sincerely,

  
Stewart McInnes

Attachment









REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Second Report for 1986 and respectfully recommends:

1. (a) That approval be given to accept the invitation to participate in the Hamilton, Scotland/Hamilton, Canada Commemorative and Contemporary Exhibitions and the Queen's Message Relay as part of the Commonwealth Games in Scotland in 1986 July.  
  
(b) That an organizing Sub-Committee consisting of the Mayor, Aldermen McCulloch, Valeriano, Wheeler, Gallagher and Murray be struck to prepare a proposed budget and appropriate programme/exhibition.
2. That permission be granted to the Women's Inter-Church Council of Hamilton & District to use on Friday, 1986 March 7, the Council Chambers at 12:00 o'clock noon and Room 219 from 11:30 a.m. - 2:00 p.m. for a World Day of Prayer Service.
3. That permission be granted to the Jewish Community Centre to use the Council Chambers on Sunday, 1986 April 13 from 6:30 - 10:30 p.m. for the annual Max Rotman Humanitarian Youth Award.
4. That the following organizations be granted permission to hang a banner from the balcony of City Hall:
  - (a) Canadian Council on Smoking and Health to proclaim National Non Smoking Week from 1986 January 16-23.
  - (b) Amity Goodwill Industries to advertise their donation drive in connection with the Dofasco Pops Concert Series from 1986 January 20-27.
5. That the City Solicitor be authorized and directed to amend By-law No. 9396 as amended - The Retail Gasoline Early Closing By-law to exempt the area which includes the nearest gasoline station at York Boulevard and Highway #403 and that the necessary survey be undertaken at a cost not to exceed \$400.

NOTE: On 1985 October 8, City Council adopted By-law No. 85-216 being a By-law to amend By-law No. 9396 to permit the three gas stations closest to the on-off ramps to Highway #403 to be exempted and, therefore, permitted to operate on a 24 hour, 7 day a week basis. The area of the on-off ramp at Highway #403 and York Boulevard was inadvertently omitted and to be consistent should also be exempted from By-law No. 9396.

6. Approval of the awarding of the following contract:

MOORE BUSINESS FORMS & SYSTEMS DIVISION, Burlington, Ontario

Supply and deliver approximately 200,000 voter notification cards for the total cost of \$14,418.25. All taxes included.

NOTE: Lowest of 2 quotations. Funding provided in account 0322-0321. This purchase was processed in accordance with the emergency procedures of the City of Hamilton Purchasing Policy, which provides an order to be placed upon approval of two of either the Mayor, the Committee Chairman or the C.A.O., and is at this time being reported to City Council for formal ratification.

7. That the City Solicitor be authorized to request postponement of Bill Pr41, a bill dealing with the Hamilton Public Library Board, until such time as Council deems it necessary following the lapse of a suitable period of time as suggested by the Minister of Citizenship and Culture in the Minister's letter dated 1985 November 12 to the Minister of Municipal Affairs, appended hereto as Schedule "A".

NOTE: For the information of the members of Council, this postponement will provide an opportunity for the City to work with the accountability sections of the New Library Act for a suitable period of time.

8. That a civic gold pin be awarded to Chris Stevens from the Steel City Riders Motorcycle Club, who won the Ontario Junior 300c.c. Ontario Provincial Championship in Enduro Competition.

9. That leave be granted to introduce the following bill:

Bill No. E-3      By-law to authorize execution of an Agreement between the Region and the City, separating the assets of the Hamilton Municipal Retirement Fund.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale  
Secretary  
1986 January 6



Minister  
Ministre

Ministry of  
Citizenship  
and Culture

Ministère des  
Affaires civiques  
et culturelles

6th floor  
77 Bloor Street West  
Toronto, Ontario  
M7A 2R9  
(416) 965-8098

6e étage  
77 ouest, rue Bloor  
Toronto, Ontario  
M7A 2R9  
(416) 965-8098

November 12, 1985

The Honourable Bernard Grandmaitre  
Minister of Municipal Affairs  
777 Bay Street, 17th Floor  
Toronto, Ontario  
M5G 2E5

Dear *Bernard* Mr. Grandmaitre:

My Ministry has reviewed Bill Pr41, An Act Respecting the City of Hamilton.

I am writing to indicate several of my concerns about this Bill. Foremost, I am concerned that the Bill does not reflect a consensus within the affected constituency. I am informed that the Hamilton Public Library Board is vigorously opposed to this Bill as are various members of the Hamilton City Council.

As well, I would note that the Public Libraries Act, 1984 was only proclaimed in March of this year. The new Act is the result of a two year consultation process and addresses the issue of accountability between a public library board and municipal council. Various of the controls requested in Bill Pr41 could be accommodated by complying with the provisions of the Act.

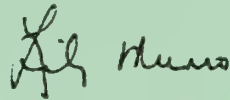
I would suggest that it would not be inappropriate for the City of Hamilton to work with the accountability sections of the new Public Libraries Act for a suitable period of time prior to proceeding with a Private Bill. This period would also allow consultation or discussion between all parties to the proposed changes.



- 2 -

I would appreciate being kept advised as to the Bill's status and would be prepared to have my officials further inform Regulations Committee.

Yours sincerely,

A handwritten signature in dark ink, appearing to read "Lily Munro". The signature is fluid and cursive, with the first name "Lily" written in a larger, more prominent script than the last name "Munro".

Lily Munro  
Minister





## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SECOND** Report for 1986 and respectfully recommends:

1. That the application of Nandor Morgenstern Enterprises Limited, owners of 213 James Street North to permit the encroachment of a fire escape over the easterly boundary of Municipal Carpark No. 36 by a width of four (4) feet for an approximate distance of twelve (12) feet be approved during the pleasure of City Council, provided:
  - (a) That the owners prepare an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) The term of the agreement to commence January 1, 1986 for a maximum term of one year to December 31, 1986;
  - (c) That the applicant pay an annual fee for this privilege of \$25 which fee shall be due and payable to the City on January 1, in addition to the \$10 annual fee to be charged for encroachment insurance.
2.
  - (a) That approval be given for the sale of the property at 125 Wellington Street South on the open market; and
  - (b) That the following Council resolution approved by City Council on October 8, 1985 as Item #6 of the 17th Report of the Finance Committee be rescinded:

"That approval be given to the leasing of 125 Wellington Street South to The Women's Centre of Hamilton-Wentworth at a monthly rental of \$500 (including taxes) commencing December 1, 1985."
3. Approval of the awarding of the following purchase order:

That an order be placed with Cardon Communications Inc., Hamilton, Ontario, for the supply and installation of a mobile radio system for Copps Coliseum, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for a total sum of \$39 704.50



NOTE: Lowest of 4 acceptable tenders.

The budget amount for this item is lower than required, however, it is within the overall Capital Budget requirements for the Project.

4. Approval of the awarding of the following purchase orders:

MOTOROLA LTD., Hamilton, Ontario

Mobile Radio Maintenance for various City Departments for the years 1986, 1987 and 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Public Works, Central Garage,  
City Garage, Traffic and City Clerk's - \$1 461.50 per mo.

Fire Department - \$ 840.50

Price Per Unit - Removal of Sedans, Station Wagons,  
Vans, Suburbans - \$ 20.00

- Installation for Sedans,  
Station Wagons, Etc. - \$ 60.00

- Removal of Fire Pumpers, Aerial  
Trucks, Etc. - \$ 35.00

- Installation for Fire Pumpers,  
Aerial Trucks, Etc. - \$ 240.00

NOTE: Lowest of 3 tenders received. Funds provided in various accounts.

5. Approval of the awarding of the following purchase order:

CHARLES JONES INDUSTRIAL LTD., Stoney Creek, Ontario

Supply and delivery of various shovels, scrapers, sod lifters, forks rakes, hoes, pick heads, scythe snaths, hedge shears, etc., in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the estimated total price of \$27 628.80, all charges included.

NOTE: Lowest of 8 tenders. Funds provided in various accounts.

6. Approval of the awarding of the following purchase order:

LAWLOR & CO. (HAMILTON) LTD., Hamilton, Ontario

Supply and delivery of Safety & Rubber Footwear in accordance with specification issued by the Director of Purchasing and Vendor's Tender as follows:

6" Kaufman #296 Safety Boots	- \$37.79 Pr.
8" Insulated #291 Safety Boots	- \$48.20 Pr.
Kaufman #4303 Women's Boots	- \$37.21 Pr.
Kaufman #7530 Men's Overshoes 10"	- \$19.19 Pr.
Kaufman #2282 Knee Rubber Boots	- \$18.89 Pr.
Ontario Sales Tax Extra where applicable.	

NOTE: Lowest of 3 acceptable tenders. Funds provided in account 0395-1023.

7. Approval of the awarding of the following purchase order:

G. T. FRENCH PAPER LTD., Hamilton, Ontario

Supply and delivery of Janitorial Paper Products in accordance with specification issued by the Director of Purchasing and Vendor's Tender as follows:

650 Cases Singlefold Paper Towels at \$14.35 Case	\$ 9 327.50
1800 Cases Multifold Paper Towels at \$14.68 Case	26 424.00
125 Cases Interfold Toilet Tissue at \$41.80 Case	4 225.00
750 Cases 1 Ply Rolls Toilet Tissue at \$36.85 Case	27 637.50
400 Cases 10" Roll Paper Towels at \$22.20 Case	<u>8 880.00</u>

Total Contract	\$77 494.00
----------------	-------------

Ontario Retail Sales Tax Extra.  
Federal Retail Sales Tax 1% Extra.

NOTE: Lowest of 7 tenders. Funds provided in account 0395-1023.

8. Approval of the awarding of the following purchase order:

JOCELYN ROOFING & SHEET METAL, Hamilton, Ontario

Supply and labour, material and equipment necessary for Roof Repairs during 1986, in accordance with specification issued by the Director of Purchasing and Vendor's Quotation as follows:

Inspection Report - Shingle	- \$28.30
Built-up	- \$35.00 to \$100.00

Built-up Roofing

Hourly Rates - Roofer	- \$27.85
Pot Man	- \$27.58
Roofer Assistant	- \$24.78
Probationary Roofer Assistant	- \$21.98
Sheet Metal Worker	- \$30.95
Sheet Metal Helper	- \$25.95

Shingle Roofing

Hourly Rates - Roofer	- \$25.95
Helper	- \$23.04

NOTE: Lower of 2 acceptable quotations. Funds provided from various Property Maintenance Accounts.

9. Approval of the awarding of the following purchase order:

ZINDER BROS., Toronto, Ontario

1 Self Propelled Used Snow Blower	\$24 500
Ontario Retail Sales Tax 7%	<u>1 715</u>
	\$26 215

NOTE: Funds provided in Depreciation Account 0280-01.

10. That the claims of Catherine Buckley be settled in the amount of \$5 413.87 with the H.S.R. contributing \$1 250 and the City \$4 163.87 inclusive of interest and costs towards the settlement.

NOTE: By County Court writ issued May 14, 1985, Catherine Buckley commenced action against the City, the Region and the H.S.R. for damages she suffered when she fell on March 5, 1982 on an icy sidewalk on Queenston Road near Delena Avenue after exiting from an H.S.R. bus. She suffered a fractured right wrist and had eight weeks of essentially full disability.

11. That the claim of Mary Hearn be settled in the amount of \$2 000 inclusive of interest and costs with the insurers for the adjoining property owners Richard M. and Berna G. Kennedy contributing \$1 000 and the City contributing \$1 000.

NOTE: By County Court writ March 21, 1984 Mary Hearn commenced action against the City as a result of her fall on a City sidewalk on January 26, 1984 due to ice and snow. The adjoining property owners Richard M. Kennedy and Berna G. Kennedy were later added as defendants due to their obligation under the City's Streets By-law to clear the City sidewalks adjacent to their property.



12. That the claim of Alfred R. Pilson and the City against Michael A. Deane be settled in the amount of \$5 134.04 inclusive of interest and costs said amount to be paid to the City and that in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and the application by Mr. Pilson, the surplus of \$3 130.56 that will remain after deduction of the City's expenses be paid to Mr. Pilson.

**NOTE:** By County Court writ issued March 4, 1983, the City and Mr. Pilson commenced action against Michael A. Deane for damages suffered when Mr. Pilson, while operating a City motor vehicle, was struck by a motor vehicle owned and operated by Mr. Deane on March 10, 1981 on John Street at or near its intersection with Jackson Street. Mr. Pilson suffered injury to his left shoulder and his head.

13. That the claim of Gladys Margaret McBride be settled in the amount of \$1 250 inclusive of interest and costs.

**NOTE:** By District Court writ issued November 27, 1985, Gladys Margaret McBride commenced action against the City for damages due to injuries she suffered when she fell on a City sidewalk at 132 Sherman Avenue North on October 29, 1985. Mrs. McBride suffered injury to her head and face with a large hemotoma about her left eye.

14. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct Downtown Action Plan - Phase III B at an estimated cost of \$1 300 000 by the issuance of debentures for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$1 300 000 for a term not to exceed 15 years.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as Project No. 33002-D Page 29, to commence in 1986.

This item was approved by the Planning and Development Committee on December 11, 1985.

15. That \$10 000 be transferred from the sprinkler system capital account in the Military Museum, Account No. 35277, to the sprinkler system capital account for the Whitehern Historical House, Account No. 35278, to finance additional funds required for the sprinkler system in Whitehern.

**NOTE:** The financing for this item relates to a recommendation letter from the City Architect dated December 31, 1985 to the Parks and Recreation Committee.



16. That the \$34 500 required for Railway Crossings - Signal Maintenance be financed in 1985 by means of an overdraft in Account No. 0352-0361.

NOTE: This item was approved by the Transport and Environment Committee on January 06, 1986 and is referred to in Section 16 of the Second Report of the Transport and Environment Committee.

17. That the City Treasurer be authorized to transfer \$10 000 as a temporary interest bearing loan from the Reserve for Contingency 0280-32 to Account No. 6801-0120 to meet the initial expenditure of the Non-Profit Housing Corporation.

NOTE: The Provincial Government provided an advance of \$16 000 last summer to finance the start up cost. These funds have virtually been used up. An estimated additional amount of funds of \$10 000 is required to meet further expenditures and some of them must be paid prior to the closing of our contract with Tyka Investments. These funds would be recovered from the Provincial Government as part of the total cost of mortgage financing of the project.

18. (a) That the estimated shortfall in the 1965 American Exchange Reserve Fund of \$49 000 as at December 31, 1985, be distributed on the basis of the debt charges with the City's portion determined to be \$18 571 000 (37.9%); the Region \$9 849 (20.1%); and the Board of Education \$20 580 (42.0%).
- (b) That the City's portion of the shortfall from the operation of this Fund be financed by a charge to the Reserve for Capital Projects, Account 0280-27.
19. (a) That the Long Term Disability (L.T.D.) insurance contract presently in force, between Metropolitan Life Insurance Company of Canada (Metro) and the City of Hamilton to run 27 months from July 1, 1984 to September 30, 1986, be terminated effective retro-actively to June 30, 1985; and
- (b) That the City of Hamilton provide its own self-insurance for Long Term Disability (L.T.D.) coverage, effective July 1, 1985, through a procedure known as Administrative Services Only (A.S.O.) with the plan to be administered by our present carrier Metropolitan Life Insurance Company of Canada (Metro), for a period of five years July 1, 1985 to June 30, 1990, with all funds for payment of claims to be supplied by the City of Hamilton and all surplus funds to bear interest to be retained by Metro on behalf of and in the name of the City of Hamilton; and

(c) That the City Treasurer be authorized to implement appropriate "Stop Loss" insurance coverage for L.T.D. with Metropolitan Life Insurance Company of Canada (Metro) and negotiate with Metro for both administrative fees for A.S.O. services and an appropriate interest rate for funds held in trust for the City of Hamilton.

20. That outstanding realty and business taxes, in the amount of \$4 568.27 to be written-off in accordance with Section 495 of the Municipal Act, R.S.O. 1980 and charged to Account Number 0378-0688, Tax Write-Offs.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

21. That the outstanding rents receivable in the amount of \$995 be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

22. That outstanding accounts receivable in the amount of \$2 874.81 be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

23. (a) That approval be given to the request for funds in the amount of \$3 000 to host a luncheon for the Ontario Recreation Society Conference February 14, 1986; and

(b) That funds be provided in the 1986 Estimates in the Hosting of Conferences with municipal subject content account no. 0378-3567.

24. That in accordance with present policy relevant to the Christmas Lighting Program, the following bonafide B.I.A. receive a grant up to a maximum of \$1 000 based on their respective cost estimates:

(a) Ottawa Street B.I.A.

(b) Old King Street East B.I.A.

NOTE: Funds are available in account no. 0374-0203 Grant - Christmas Lighting - B.I.A.

25. (a) That approval be given to the following convention/reception grant requests:

i. The Kennedy Ontario Invitational Basketball Tournament requesting \$200 for their basketball tournament February 1-2, 1986

ii. Silver Fox Basketball Tournament requesting \$350 for their basketball tournament January 17-18, 1986.

iii. Hamilton Volunteer Work Committee requesting \$500 for a reception April 16, 1986.

(NOTE: Decision required to confirm booking of Convention Centre for the reception.)

iv. Ontario Provincial Open Karate Championships requesting \$3 000 for the Karate Championships May 3, 1986.

(NOTE: Decision required to confirm booking of Convention Centre for the tournament.)

(b) That approved grants, with respect to the above, be provided for in the 1986 estimates in the Convention/Reception Grant Account No. 0374-10XX.

26. For the information of Council, the Finance Committee, at its meeting held Tuesday, January 7, 1986, appointed the following members to serve on the Grants Sub-Committee:

Alderman P. Valeriano, Chairman  
Alderman T. Cooke  
Alderman V. Agro  
Alderman S. Collins  
Alderman D. Ross

27. That leave be granted to introduce the following bill:

(a) G-4 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

ALDERMAN P. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

R. C. Prowse, Secretary  
1986 January 07







REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Second Report for 1986 and respectfully recommends:

1. (a) That approval be given to accept the invitation to participate in the Hamilton, Scotland/Hamilton, Canada Commemorative and Contemporary Exhibitions and the Queen's Message Relay as part of the Commonwealth Games in Scotland in 1986 July.  
  
(b) That an organizing Sub-Committee consisting of the Mayor, Aldermen McCulloch, Valeriano, Wheeler, Gallagher and Murray be struck to prepare a proposed budget and appropriate programme/exhibition.
2. That permission be granted to the Women's Inter-Church Council of Hamilton & District to use on Friday, 1986 March 7, the Council Chambers at 12:00 o'clock noon and Room 219 from 11:30 a.m. - 2:00 p.m. for a World Day of Prayer Service.
3. That permission be granted to the Jewish Community Centre to use the Council Chambers on Sunday, 1986 April 13 from 6:30 - 10:30 p.m. for the annual Max Rotman Humanitarian Youth Award.
4. That the following organizations be granted permission to hang a banner from the balcony of City Hall:
  - (a) Canadian Council on Smoking and Health to proclaim National Non Smoking Week from 1986 January 16-23.
  - (b) Amity Goodwill Industries to advertise their donation drive in connection with the Dofasco Pops Concert Series from 1986 January 20-27.
5. That the City Solicitor be authorized and directed to amend By-law No. 9396 as amended - The Retail Gasoline Early Closing By-law to exempt the area which includes the nearest gasoline station at York Boulevard and Highway #403 and that the necessary survey be undertaken at a cost not to exceed \$400.

NOTE: On 1985 October 8, City Council adopted By-law No. 85-216 being a By-law to amend By-law No. 9396 to permit the three gas stations closest to the on-off ramps to Highway #403 to be exempted and, therefore, permitted to operate on a 24 hour, 7 day a week basis. The area of the on-off ramp at Highway #403 and York Boulevard was inadvertently omitted and to be consistent should also be exempted from By-law No. 9396.

6. Approval of the awarding of the following contract:

MOORE BUSINESS FORMS & SYSTEMS DIVISION, Burlington, Ontario

Supply and deliver approximately 200,000 voter notification cards for the total cost of \$14,418.25. All taxes included.

NOTE: Lowest of 2 quotations. Funding provided in account 0322-0321. This purchase was processed in accordance with the emergency procedures of the City of Hamilton Purchasing Policy, which provides an order to be placed upon approval of two of either the Mayor, the Committee Chairman or the C.A.O., and is at this time being reported to City Council for formal ratification.

7. That the City Solicitor be authorized to request postponement of Bill Pr41, a bill dealing with the Hamilton Public Library Board, until such time as Council deems it necessary following the lapse of a suitable period of time as suggested by the Minister of Citizenship and Culture in the Minister's letter dated 1985 November 12 to the Minister of Municipal Affairs, appended hereto as Schedule "A".

NOTE: For the information of the members of Council, this postponement will provide an opportunity for the City to work with the accountability sections of the New Library Act for a suitable period of time.

8. That a civic gold pin be awarded to Chris Stevens from the Steel City Riders Motorcycle Club, who won the Ontario Junior 300c.c. Ontario Provincial Championship in Enduro Competition.

9. That leave be granted to introduce the following bill:

Bill No. E-3      By-law to authorize execution of an Agreement between the Region and the City, separating the assets of the Hamilton Municipal Retirement Fund.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale  
Secretary  
1986 January 6



Minister Ministre	Ministry of Citizenship and Culture	Ministère des Affaires civiles et culturelles	6th floor 77 Bloor Street West Toronto, Ontario M7A 2R9 (416) 965-8098	6e étage 77 ouest, rue Bloor Toronto, Ontario M7A 2R9 (416) 965-8098
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November 12, 1985

The Honourable Bernard Grandmaitre  
Minister of Municipal Affairs  
777 Bay Street, 17th Floor  
Toronto, Ontario  
M5G 2E5

Dear *Bernard* Mr. Grandmaitre:

My Ministry has reviewed Bill Pr41, An Act Respecting the City of Hamilton.

I am writing to indicate several of my concerns about this Bill. Foremost, I am concerned that the Bill does not reflect a consensus within the affected constituency. I am informed that the Hamilton Public Library Board is vigorously opposed to this Bill as are various members of the Hamilton City Council.

As well, I would note that the Public Libraries Act, 1984 was only proclaimed in March of this year. The new Act is the result of a two year consultation process and addresses the issue of accountability between a public library board and municipal council. Various of the controls requested in Bill Pr41 could be accommodated by complying with the provisions of the Act.

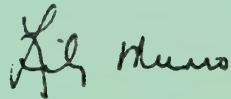
I would suggest that it would not be inappropriate for the City of Hamilton to work with the accountability sections of the new Public Libraries Act for a suitable period of time prior to proceeding with a Private Bill. This period would also allow consultation or discussion between all parties to the proposed changes.



- 2 -

I would appreciate being kept advised as to the Bill's status and would be prepared to have my officials further inform Regulations Committee.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'Lily Munro'. The signature is fluid and cursive, with the first name 'Lily' written in a larger, more prominent script than the last name 'Munro'.

Lily Munro  
Minister





## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **SECOND** Report for 1986 and respectfully recommends:

1. That the application of Nandor Morgenstern Enterprises Limited, owners of 213 James Street North to permit the encroachment of a fire escape over the easterly boundary of Municipal Carpark No. 36 by a width of four (4) feet for an approximate distance of twelve (12) feet be approved during the pleasure of City Council, provided:

(a) That the owners prepare an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;

(b) The term of the agreement to commence January 1, 1986 for a maximum term of one year to December 31, 1986;

(c) That the applicant pay an annual fee for this privilege of \$25 which fee shall be due and payable to the City on January 1, in addition to the \$10 annual fee to be charged for encroachment insurance.

2. (a) That approval be given for the sale of the property at 125 Wellington Street South on the open market; and

(b) That the following Council resolution approved by City Council on October 8, 1985 as Item #6 of the 17th Report of the Finance Committee be rescinded:

"That approval be given to the leasing of 125 Wellington Street South to The Women's Centre of Hamilton-Wentworth at a monthly rental of \$500 (including taxes) commencing December 1, 1985."

3. Approval of the awarding of the following purchase order:

That an order be placed with Cardon Communications Inc., Hamilton, Ontario, for the supply and installation of a mobile radio system for Copps Coliseum, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for a total sum of \$39 704.50



NOTE: Lowest of 4 acceptable tenders.

The budget amount for this item is lower than required, however, it is within the overall Capital Budget requirements for the Project.

4. Approval of the awarding of the following purchase orders:

MOTOROLA LTD., Hamilton, Ontario

Mobile Radio Maintenance for various City Departments for the years 1986, 1987 and 1988, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

Public Works, Central Garage,  
City Garage, Traffic and City Clerk's - \$1 461.50 per mo.

Fire Department - \$ 840.50

Price Per Unit - Removal of Sedans, Station Wagons,  
Vans, Suburbans - \$ 20.00  
- Installation for Sedans,  
Station Wagons, Etc. - \$ 60.00  
- Removal of Fire Pumpers, Aerial  
Trucks, Etc. - \$ 35.00  
- Installation for Fire Pumpers,  
Aerial Trucks, Etc. - \$ 240.00

NOTE: Lowest of 3 tenders received. Funds provided in various accounts.

5. Approval of the awarding of the following purchase order:

CHARLES JONES INDUSTRIAL LTD., Stoney Creek, Ontario

Supply and delivery of various shovels, scrapers, sod lifters, forks rakes, hoes, pick heads, scythe snaths, hedge shears, etc., in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the estimated total price of \$27 628.80, all charges included.

NOTE: Lowest of 8 tenders. Funds provided in various accounts.

6. Approval of the awarding of the following purchase order:

LAWLOR & CO. (HAMILTON) LTD., Hamilton, Ontario

Supply and delivery of Safety & Rubber Footwear in accordance with specification issued by the Director of Purchasing and Vendor's Tender as follows:

6" Kaufman #296 Safety Boots	- \$37.79 Pr.
8" Insulated #291 Safety Boots	- \$48.20 Pr.
Kaufman #4303 Women's Boots	- \$37.21 Pr.
Kaufman #7530 Men's Overshoes 10"	- \$19.19 Pr.
Kaufman #2282 Knee Rubber Boots	- \$18.89 Pr.
Ontario Sales Tax Extra where applicable.	

NOTE: Lowest of 3 acceptable tenders. Funds provided in account 0395-1023.

7. Approval of the awarding of the following purchase order:

G. T. FRENCH PAPER LTD., Hamilton, Ontario

Supply and delivery of Janitorial Paper Products in accordance with specification issued by the Director of Purchasing and Vendor's Tender as follows:

650 Cases Singlefold Paper Towels at \$14.35 Case	\$ 9 327.50
1800 Cases Multifold Paper Towels at \$14.68 Case	26 424.00
125 Cases Interfold Toilet Tissue at \$41.80 Case	4 225.00
750 Cases 1 Ply Rolls Toilet Tissue at \$36.85 Case	27 637.50
400 Cases 10" Roll Paper Towels at \$22.20 Case	<u>8 880.00</u>

Total Contract	\$77 494.00
----------------	-------------

Ontario Retail Sales Tax Extra.  
Federal Retail Sales Tax 1% Extra.

NOTE: Lowest of 7 tenders. Funds provided in account 0395-1023.

8. Approval of the awarding of the following purchase order:

JOCELYN ROOFING & SHEET METAL, Hamilton, Ontario

Supply and labour, material and equipment necessary for Roof Repairs during 1986, in accordance with specification issued by the Director of Purchasing and Vendor's Quotation as follows:

Inspection Report - Shingle	- \$28.30
Built-up	- \$35.00 to \$100.00

Built-up Roofing

Hourly Rates - Roofer	- \$27.85
Pot Man	- \$27.58
Roofer Assistant	- \$24.78
Probationary Roofer Assistant	- \$21.98
Sheet Metal Worker	- \$30.95
Sheet Metal Helper	- \$25.95

Shingle Roofing

Hourly Rates - Roofer	- \$25.95
Helper	- \$23.04

NOTE: Lower of 2 acceptable quotations. Funds provided from various Property Maintenance Accounts.

9. Approval of the awarding of the following purchase order:

ZINDER BROS., Toronto, Ontario

1 Self Propelled Used Snow Blower	\$24 500
Ontario Retail Sales Tax 7%	<u>1 715</u>
	\$26 215

NOTE: Funds provided in Depreciation Account 0280-01.

10. That the claims of Catherine Buckley be settled in the amount of \$5 413.87 with the H.S.R. contributing \$1 250 and the City \$4 163.87 inclusive of interest and costs towards the settlement.

NOTE: By County Court writ issued May 14, 1985, Catherine Buckley commenced action against the City, the Region and the H.S.R. for damages she suffered when she fell on March 5, 1982 on an icy sidewalk on Queenston Road near Delena Avenue after exiting from an H.S.R. bus. She suffered a fractured right wrist and had eight weeks of essentially full disability.

11. That the claim of Mary Hearn be settled in the amount of \$2 000 inclusive of interest and costs with the insurers for the adjoining property owners Richard M. and Berna G. Kennedy contributing \$1 000 and the City contributing \$1 000.

NOTE: By County Court writ March 21, 1984 Mary Hearn commenced action against the City as a result of her fall on a City sidewalk on January 26, 1984 due to ice and snow. The adjoining property owners Richard M. Kennedy and Berna G. Kennedy were later added as defendants due to their obligation under the City's Streets By-law to clear the City sidewalks adjacent to their property.



12. That the claim of Alfred R. Pilson and the City against Michael A. Deane be settled in the amount of \$5 134.04 inclusive of interest and costs said amount to be paid to the City and that in accordance with Section 8(4) of The Workers' Compensation Act, R.S.O. 1980, Chapter 539 and the application by Mr. Pilson, the surplus of \$3 130.56 that will remain after deduction of the City's expenses be paid to Mr. Pilson.

**NOTE:** By County Court writ issued March 4, 1983, the City and Mr. Pilson commenced action against Michael A. Deane for damages suffered when Mr. Pilson, while operating a City motor vehicle, was struck by a motor vehicle owned and operated by Mr. Deane on March 10, 1981 on John Street at or near its intersection with Jackson Street. Mr. Pilson suffered injury to his left shoulder and his head.

13. That the claim of Gladys Margaret McBride be settled in the amount of \$1 250 inclusive of interest and costs.

**NOTE:** By District Court writ issued November 27, 1985, Gladys Margaret McBride commenced action against the City for damages due to injuries she suffered when she fell on a City sidewalk at 132 Sherman Avenue North on October 29, 1985. Mrs. McBride suffered injury to her head and face with a large hemotoma about her left eye.

14. That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct Downtown Action Plan - Phase III B at an estimated cost of \$1 300 000 by the issuance of debentures for a period not to exceed 15 years. It is further recommended that application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$1 300 000 for a term not to exceed 15 years.

**NOTE:** For the information of Council, this project is included in the 1985-1989 Capital Budget as Project No. 33002-D Page 29, to commence in 1986.

This item was approved by the Planning and Development Committee on December 11, 1985.

15. That \$10 000 be transferred from the sprinkler system capital account in the Military Museum, Account No. 35277, to the sprinkler system capital account for the Whitehern Historical House, Account No. 35278, to finance additional funds required for the sprinkler system in Whitehern.

**NOTE:** The financing for this item relates to a recommendation letter from the City Architect dated December 31, 1985 to the Parks and Recreation Committee.



16. That the \$34 500 required for Railway Crossings - Signal Maintenance be financed in 1985 by means of an overdraft in Account No. 0352-0361.

NOTE: This item was approved by the Transport and Environment Committee on January 06, 1986 and is referred to in Section 16 of the Second Report of the Transport and Environment Committee.

17. That the City Treasurer be authorized to transfer \$10 000 as a temporary interest bearing loan from the Reserve for Contingency 0280-32 to Account No. 6801-0120 to meet the initial expenditure of the Non-Profit Housing Corporation.

NOTE: The Provincial Government provided an advance of \$16 000 last summer to finance the start up cost. These funds have virtually been used up. An estimated additional amount of funds of \$10 000 is required to meet further expenditures and some of them must be paid prior to the closing of our contract with Tyka Investments. These funds would be recovered from the Provincial Government as part of the total cost of mortgage financing of the project.

18. (a) That the estimated shortfall in the 1965 American Exchange Reserve Fund of \$49 000 as at December 31, 1985, be distributed on the basis of the debt charges with the City's portion determined to be \$18 571 000 (37.9%); the Region \$9 849 (20.1%); and the Board of Education \$20 580 (42.0%).

(b) That the City's portion of the shortfall from the operation of this Fund be financed by a charge to the Reserve for Capital Projects, Account 0280-27.

19. (a) That the Long Term Disability (L.T.D.) insurance contract presently in force, between Metropolitan Life Insurance Company of Canada (Metro) and the City of Hamilton to run 27 months from July 1, 1984 to September 30, 1986, be terminated effective retro-actively to June 30, 1985; and

(b) That the City of Hamilton provide its own self-insurance for Long Term Disability (L.T.D.) coverage, effective July 1, 1985, through a procedure known as Administrative Services Only (A.S.O.) with the plan to be administered by our present carrier Metropolitan Life Insurance Company of Canada (Metro), for a period of five years July 1, 1985 to June 30, 1990, with all funds for payment of claims to be supplied by the City of Hamilton and all surplus funds to bear interest to be retained by Metro on behalf of and in the name of the City of Hamilton; and

(c) That the City Treasurer be authorized to implement appropriate "Stop Loss" insurance coverage for L.T.D. with Metropolitan Life Insurance Company of Canada (Metro) and negotiate with Metro for both administrative fees for A.S.O. services and an appropriate interest rate for funds held in trust for the City of Hamilton.

20. That outstanding realty and business taxes, in the amount of \$4 568.27 to be written-off in accordance with Section 495 of the Municipal Act, R.S.O. 1980 and charged to Account Number 0378-0688, Tax Write-Offs.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

21. That the outstanding rents receivable in the amount of \$995 be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

22. That outstanding accounts receivable in the amount of \$2 874.81 be written-off and charged to Account No. 0220, Allowance for Doubtful Accounts.

NOTE: Detailed information respecting these write-offs may be obtained by contacting the Secretary of the Finance Committee or the Treasurer.

23. (a) That approval be given to the request for funds in the amount of \$3 000 to host a luncheon for the Ontario Recreation Society Conference February 14, 1986; and

(b) That funds be provided in the 1986 Estimates in the Hosting of Conferences with municipal subject content account no. 0378-3567.

24. That in accordance with present policy relevant to the Christmas Lighting Program, the following bonafide B.I.A. receive a grant up to a maximum of \$1 000 based on their respective cost estimates:

(a) Ottawa Street B.I.A.

(b) Old King Street East B.I.A.

NOTE: Funds are available in account no. 0374-0203 Grant - Christmas Lighting - B.I.A.

25. (a) That approval be given to the following convention/reception grant requests:

i. The Kennedy Ontario Invitational Basketball Tournament requesting \$200 for their basketball tournament February 1-2, 1986

ii. Silver Fox Basketball Tournament requesting \$350 for their basketball tournament January 17-18, 1986.

iii. Hamilton Volunteer Work Committee requesting \$500 for a reception April 16, 1986.

(NOTE: Decision required to confirm booking of Convention Centre for the reception.)

iv. Ontario Provincial Open Karate Championships requesting \$3 000 for the Karate Championships May 3, 1986.

(NOTE: Decision required to confirm booking of Convention Centre for the tournament.)

(b) That approved grants, with respect to the above, be provided for in the 1986 estimates in the Convention/Reception Grant Account No. 0374-10XX.

26. For the information of Council, the Finance Committee, at its meeting held Tuesday, January 7, 1986, appointed the following members to serve on the Grants Sub-Committee:

Alderman P. Valeriano, Chairman  
Alderman T. Cooke  
Alderman V. Agro  
Alderman S. Collins  
Alderman D. Ross

27. That leave be granted to introduce the following bill:

(a) G-4 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

ALDERMAN P. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

R. C. Prowse, Secretary  
1986 January 07

By-law No. 86 -

To Amend By-law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Subsection 6(b) (Annual Permits) of Section 7 (Moving Buildings or Other Over-Weight or Over-Size Loads) is hereby deleted in its entirety and the following substituted therefore:-

"(b) that payment has been made to the treasurer of a fee as may be determined from time to time by Council for each tonne in excess of the registered gross weight of the truck in the case of a single unit truck and for each tonne in excess of the registered gross weight of the tractor trailer in the case of a tractor trailer".

PASSED this

day of

, A.D. 1986.

City Clerk

Mayor

(1986) 2 R.T.E.C. 36, January 14



By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Flora	Northbound	Dover
Teresa	Northbound	Dover
Jasmine	Westbound	Deerborn
Deerborn	Northbound and Southbound	Thorner
Capri (west leg)	Northbound	Vittorito".

2. Schedule 12 (One-Way Streets) is hereby amended by adding thereto the following item, namely:-

"Spring	Northerly	Main	King"
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3. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Napier	Both	Caroline to easterly end".
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and by deleting therefrom the following items, namely:-

"Napier	South	commencing at a point 128 feet east of Caroline to the easterly end
Dunsmure	North	Ottawa to 50 ft. east".

4. Schedule 30 (Commercial Loading Zones) is hereby amended by adding thereto the following item, namely:-

"George	North	22 feet	56 feet east of Hess	3:00 a.m. - 6:00 p.m. Mon. - Sat."
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PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 25A (Parking Time Limits) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Section 9 (Three Hour Limit) the following item, namely:-

"Lloyd                      South                      Chapple to Gage".

and by adding to Section 5 (One Hour Limit) the following item, namely:-

"Mountain Park              North                      Viewpoint to Hamilton".

2. Schedule 26 (No Parking Areas) is hereby amended by deleting from Section A (No Parking Anytime) the following items, namely:-

"Napier                      South                      Caroline to 128 feet east  
Napier                      North                      Caroline to Bay".

and by adding thereto the following items, namely:-

"Hughson                      East                      commencing 70 feet south of Haymarket to  
a point 40 feet southerly therefrom

Locke                      East                      commencing 40 feet south of Stanley to a  
point 30 feet southerly therefrom".

3. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Lloyd                      South                      commencing at a point 267 feet                      Anytime".  
west of Gage to Chapple

PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

(1986) 2 R.T.E.C. 36, January 14

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 84-208

Respecting:

LAND LOCATED IN THE AREA NORTH OF QUEENSTON ROAD  
AND EAST OF LAKE AVENUE NORTH

WHEREAS By-law No. 84-208, passed on the 26th day of September, 1984 and approved by the Ontario Municipal Board by Order dated the 23rd day of April, 1985, (File No. R 840628), rezoned the land referred to therein from "AA" (Agricultural) district to "A" (Conservation, Open Space, Park and Recreation) district, and "C" (Urban Protected Residential, etc.) district, and established special requirements in respect of various lots enumerated therein;

AND WHEREAS registered plan of subdivision No. 62M-439 assigned different numbers to some of the same lots;

AND WHEREAS it is intended to renumber the lots in accordance with the said registered plan of subdivision;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subclause 2(a)(i) of By-law No. 84-208 is amended by striking out "76, 77, 78 and 79" in the third and fourth lines and inserting in lieu thereof "78, 79, 80 and 81".

2. Subclause 2(a)(ii) of the said by-law is amended by striking out "50 to and including Lot 71" in the third and fourth lines and inserting in lieu thereof "51 to and including Lot 62 and Lots 67 to and including Lot 73".

3. Subclause 2(a)(iii) of the said by-law is re-numbered clause 2(a)(iv) and is amended by striking out "80 to and including Lot 84" in the third and fourth lines and inserting in lieu thereof "82 to and including Lot 86".

4. Clause 2(a) of the said by-law is amended by adding thereto the following subclause:

- (iii) from the easterly boundary of Block 1 abutting the side lot and rear lot line of Lot 66; and

5. By-law No. 6593 is amended by adding this by-law to section 19B as "S-877a".

6. Sheets Nos. E-124 and E-125 of the District Maps are amended by marking the land referred to in clause 1(b) of By-law No. 84-208, "S-877a".

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 2 R.P.D.C. 5, January 14



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Repeal:

By-laws Nos. 85-136 and 85-147

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 323-325 WENTWORTH STREET NORTH  
AND MUNICIPAL NO. 257 BARTON STREET WEST

WHEREAS By-law No. 85-136, passed on the 30th day of July, 1985, authorized the demolition and clearing of buildings, structures, debris or refuse on land at Nos. 323-325 Wentworth Street North;

AND WHEREAS By-law No. 85-147, passed on the 30th day of July, 1985, authorized the demolition and clearing of buildings, structures, debris or refuse on land at No. 257 Barton Street West;

AND WHEREAS demolition of the buildings and structures at Nos. 323-325 Wentworth Street North and No. 257 Barton Street West has been completed and the land cleared;

AND WHEREAS the authority in the said by-laws is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-laws Nos. 85-136 and 85-147 are repealed.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 1 R.P.D.C. 11,12, December 10

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 174 to 176 JOHN STREET SOUTH

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. . The "H" (Community Shopping and Commercial, etc.) district provisions applicable to the lands, the extent and boundaries of which are shown on a plan here-to annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 14(1) of By-law No. 6593, the following,

(i) ACCESSORY USE shall not be prohibited:

1. A patio licensed under The Liquor Licence Act, or unlicensed, accessory to a restaurant;

(ii) A visual barrier not less than 1.2 metres and not more than 2.0 metres in height, shall be provided and maintained along the westerly lot line.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "H" district provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-915".

4. Sheet No. E-5 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-915".

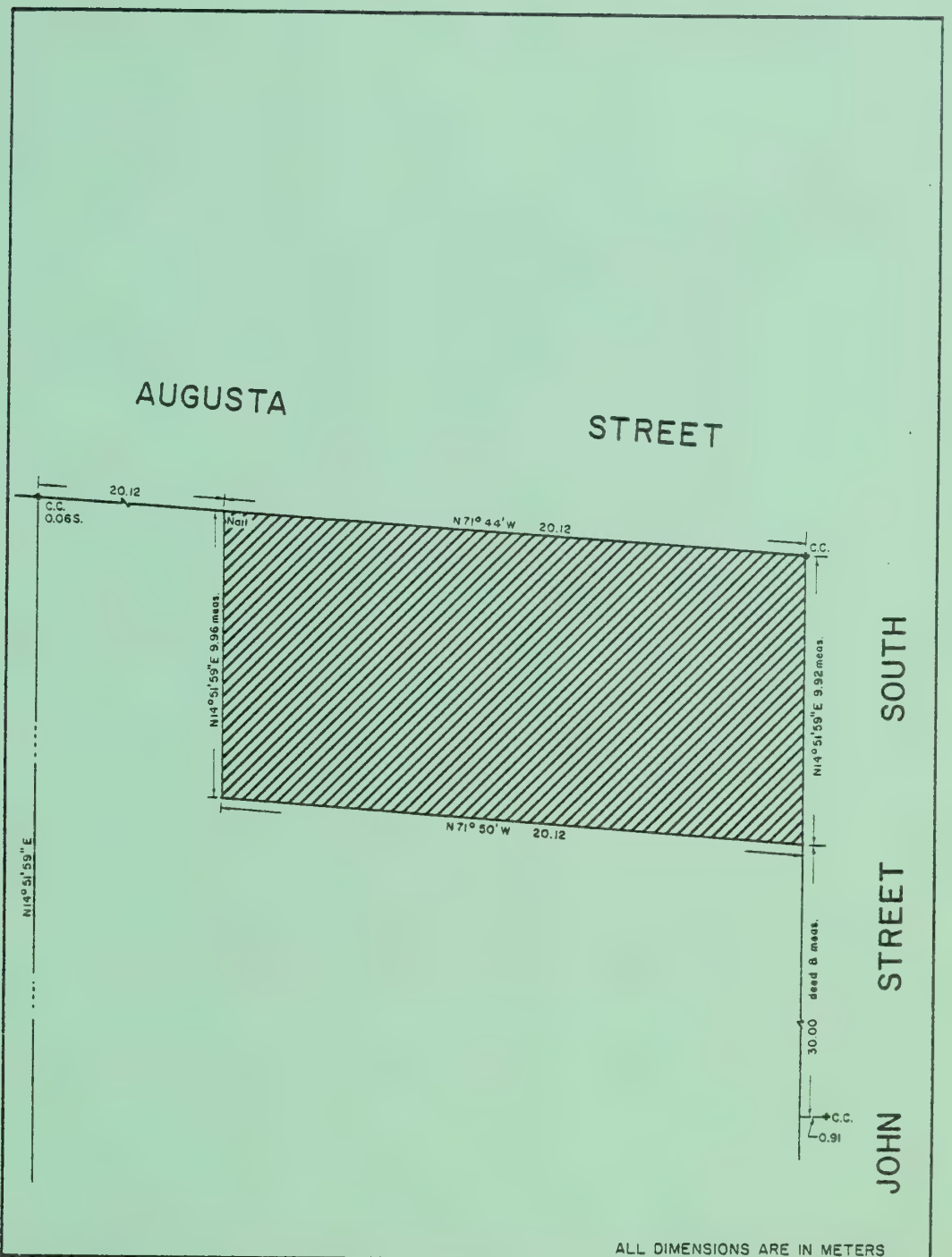
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 16 R.P.D.C. 4, May 28  
Mr. and Mrs. D.A. Gaskin, Owners  
ZA-85-21



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No. 86-  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

<b>CITY OF HAMILTON</b> <b>SCHEDULE 'A'</b> MAP FORMING PART OF <b>BY-LAW No. 86-</b> TO AMEND BY-LAW No. 6593 Regional Municipality of Hamilton-Wentworth Planning and Development Department			Legend <div style="display: flex; align-items: center; margin-bottom: 5px;"> <div style="width: 20px; height: 10px; background: repeating-linear-gradient(45deg, transparent, transparent 2px, black 2px, black 4px); border: 1px solid black; margin-right: 5px;"></div> <div>LANDS TO BE REGULATED BY BY-LAW No. 86-</div> </div> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 33%; text-align: center; padding: 2px;">           North  </td> <td style="width: 33%; text-align: center; padding: 2px;">           Scale            1:180         </td> <td style="width: 33%; text-align: center; padding: 2px;">           Reference File No.            ZA-85-21         </td> </tr> <tr> <td colspan="2" style="text-align: center; padding: 2px;">           Date            MAY 28, 1985         </td> <td style="text-align: center; padding: 2px;">           Drawing No.         </td> </tr> </table>			North 	Scale 1:180	Reference File No. ZA-85-21	Date MAY 28, 1985		Drawing No.
North 	Scale 1:180	Reference File No. ZA-85-21									
Date MAY 28, 1985		Drawing No.									



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE SOUTH SIDE OF STONE CHURCH ROAD WEST  
AND WEST OF COURTLAND AVENUE

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

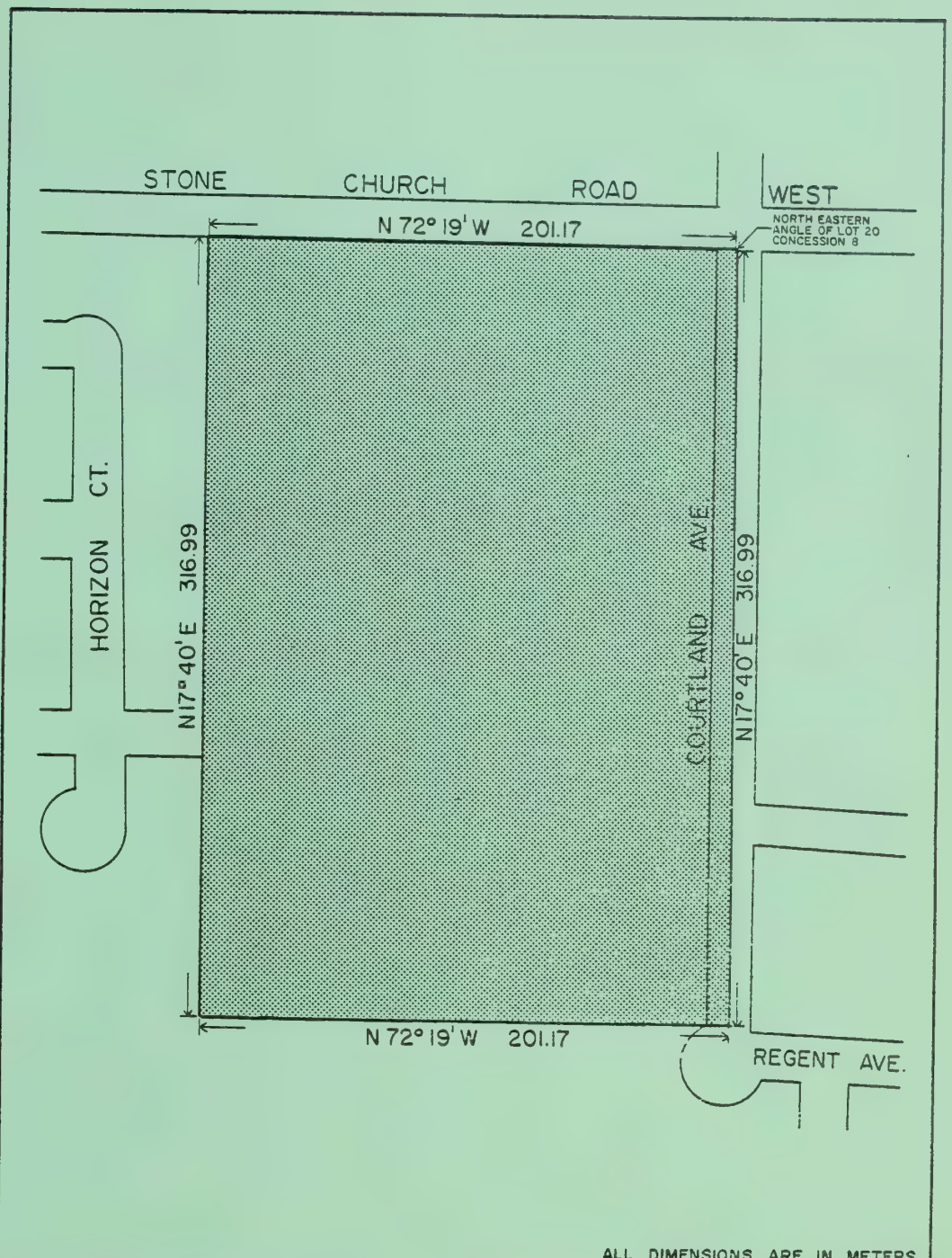
2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 28 R.P.D.C. 1B, December 10  
Dydzak Drive-In Theatres Limited, Owner  
ZA-85-55



ALL DIMENSIONS ARE IN METERS

THIS IS SCHEDULE "A" TO BY-LAW No.  
PASSED THE DAY OF

-----  
Clerk

-----  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE 'A'**

MAP FORMING PART OF


**BY-LAW No. 86-**

TO AMEND BY-LAW No. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

 CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

North 	Scale N.T.S.	Reference File No. ZA-85-55
	Date NOV. 14, 1985	Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 2732 BARTON STREET EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G-4" (Designed Neighbourhood Shopping Area) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 13D(1) of By-law No. 6593, the following:

(i) **COMMERCIAL USES** shall not be prohibited:

1. A commercial gymnasium.
2. A retail store.
3. A show room; a sample room.
4. A business identification sign that complies with the following requirements:
  - A. The sign shall be located at a distance of not less than 3.0 m. and not more than 9.0 m. from the lot line along Barton Street East; and
  - B. The bottom of the sign shall not be less than 3.0 m. from the ground; and
  - C. The supporting structure of the sign shall not obstruct the view or line of sight from any direction; and

- D. The area of vertical projection of the sign shall not exceed 9.3 m<sup>2</sup>.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G-4" District provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-912a".

4. Sheet No. E-123 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-912a".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

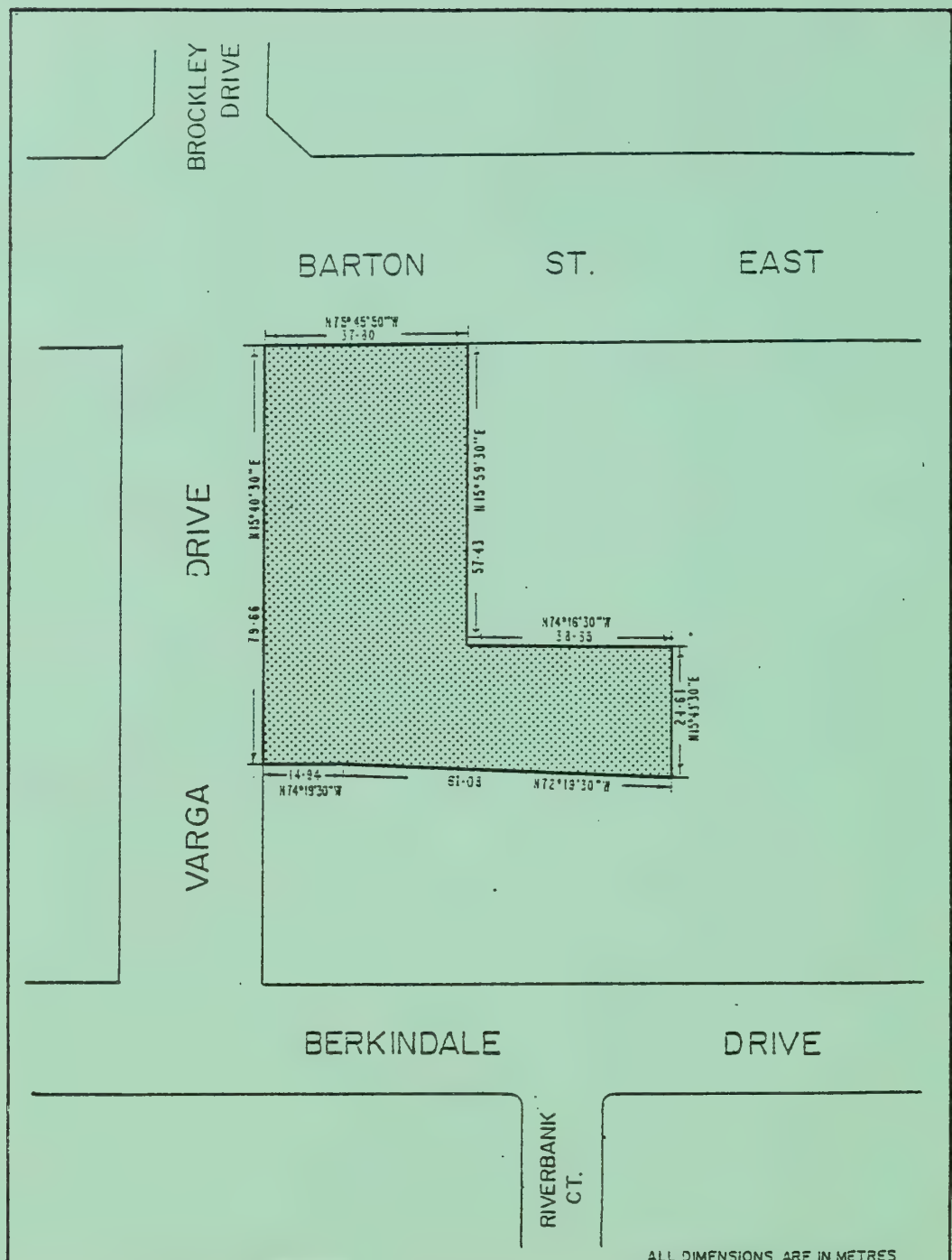
PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 2 R.P.D.C. 1, January 14  
Vlado Matesa, Owner  
ZA-85-85





ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-  
PASSED THE \_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF

BY-LAW NO.86-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LANDS TO BE REGULATED BY BY-LAW  
NO.86 -

North



Scale

1:1000

Reference File No.

ZA 85 - 85

Date

85-12-20

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

**AN AGREEMENT SEPARATING ASSETS OF  
THE HAMILTON MUNICIPAL RETIREMENT FUND**

**WHEREAS** subsections 24(1a), 24(1b), and 24(1c) of The Regional Municipality of Hamilton-Wentworth Act, as amended by section 1 of The Regional Municipality of Hamilton-Wentworth Amendment Act, 1985, provides as follows:

(1a) The Regional Corporation and The Corporation of the City of Hamilton, by agreement, may separate the assets and liabilities of the retirement plan established under By-law No. 7970 of the City of Hamilton so that, upon the separation, the assets and liabilities related to employees of The Corporation of the City of Hamilton and of persons who at the time of retirement were employees of the City shall be separated from the portion of the assets and liabilities that relate to,

- (a) employees of the Regional Corporation, and members and civilian employees and assistants of the Hamilton-Wentworth Regional Police Force; and
- (b) persons who at the time of retirement were employees of the Regional Corporation or were members or civilian employees or assistants of the Hamilton-Wentworth Regional Police Force.

(1b) Where an agreement is entered into under subsection (1a), the Regional Council by by-law may provide that the portion of the assets and liabilities of the retirement plan established by By-law No. 7970 of the City of Hamilton and the benefits in relation thereto that relate to persons described in clauses (1a)(a) and (b) shall be administered separate from the other portion.

(1c) Upon the coming into force of a by-law under subsection (1b), the portion that relates to the persons described in clauses (1a)(a) and (b) shall be deemed to be a separate retirement plan.

**AND WHEREAS** it is intended herein to authorize an Agreement in accordance with subsection 24(1a);

**AND WHEREAS** the Regional Council, by By-law No. R85-136, passed on the 11th day of December, 1985, approved the Agreement hereto annexed as schedule "A".

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Mayor and the City Clerk are hereby authorized and directed to execute an Agreement between The Regional Municipality of Hamilton-Wentworth and The Corporation of the City of Hamilton in form and content hereto annexed as Schedule "A", for the purpose of separating the assets and liabilities of the retirement plan established under By-law No. 7970 of the City of Hamilton in accordance with subsection 24(1a) of The Regional Municipality of Hamilton-Wentworth Act, as amended by The Regional Municipality of Hamilton-Wentworth Act, 1985.

PASSED this

day of

A.D. 1986.

City Clerk

Mayor

SCHEDULE "A"

To

By-law No. 86-

THIS AGREEMENT MADE the                      day of  
198

B E T W E E N:

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH  
(hereinafter called the....."REGION")

OF THE FIRST PART,

- and -

THE CORPORATION OF THE CITY OF HAMILTON  
(hereinafter called the....."CITY")

OF THE SECOND PART

WHEREAS the Region and the City have each requested legislation of the Province of Ontario for the purpose of separating the assets and liabilities of the Retirement Plan established under City By-law No. 7970 and known as the Hamilton Civic Employees' Municipal Retirement Fund ("HMRF") between employees of the City on the one hand and employees of the Region including members and civilian employees and assistants of the Hamilton-Wentworth Regional Police Force on the other hand; and

WHEREAS enabling legislation has been passed by the Legislature of the Province of Ontario providing for the separation of the assets and liabilities of the aforesaid Pension Plan by Agreement between the Region and the City, the said legislation being passed by the Legislature on the 10th day of December, 1985, and proclaimed in force on the 10th day of December, 1985 as S.O. 1985, Chapter 10.

NOW THEREFORE the Region and the City hereby agree each with the other as follows:



1. That it is agreed that the assets and liabilities of the Retirement Plan established under City By-law 7970 and known as the Hamilton Civic Employees' Municipal Retirement Fund, be separated in accordance with Schedules "A" and "B" attached to this Agreement.
2. Schedule "A" attached to this Agreement sets out the assets and liabilities related to the employees of the City in the said Retirement Plan.
3. Schedule "B" attached to this Agreement sets out the assets and liabilities related to the employees of the Region and the members and civilian employees and assistants of the Hamilton-Wentworth Regional Police Force in the said Retirement Plan.
4. Schedules "A" and "B" to this Agreement relate to the assets and liabilities of the said Retirement Plan as they stood on January 1st, 1985.
5. Schedules "A" and "B" are part of this Agreement.
6. This Agreement shall come into force and take effect upon its execution by the proper officers of both parties to this Agreement, following the passage of By-laws by the Region and the City authorizing the execution of this Agreement.

IN WITNESS WHEREOF the parties have hereunto affixed their respective corporate seals duly attested by their signing officers authorized in that behalf.

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
Acting Clerk

\_\_\_\_\_  
Treasurer

THE CORPORATION OF THE CITY OF HAMILTON

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Clerk

SCHEDULE "A"  
STATEMENT OF ASSETS AND LIABILITIES  
WITH RESPECT TO CITY EMPLOYEES  
WHO ARE MEMBERS IN THE  
HAMILTON-MUNICIPAL EMPLOYEES' RETIREMENT FUND  
AS AT JANUARY 1, 1985

	<u>FIRE</u> \$	<u>OTHERS</u> \$	<u>TOTAL</u> \$
1. Liabilities			
- Pensioners	11,837,600	18,032,900	29,870,500
- Deferred Pensions	39,400	229,500	268,900
- Standard Terms	37,403,200	24,690,300	62,093,500
- Annuity Plan	-	13,300	13,300
- Total	49,280,200	42,966,000	92,246,200
2. Future Contributions	9,230,000	6,470,200	15,700,200
3. TOTAL LIABILITIES	40,050,200	36,495,800	76,546,000
	=====	=====	=====
4. TOTAL ASSETS	40,638,600	38,999,800	79,638,400
	=====	=====	=====

SCHEDULE "B"  
STATEMENT OF ASSETS AND LIABILITIES  
WITH RESPECT TO REGIONAL EMPLOYEES  
WHO ARE MEMBERS IN THE  
HAMILTON-MUNICIPAL EMPLOYEES' RETIREMENT FUND  
AS AT JANUARY 1, 1985

	<u>POLICE</u> \$	<u>OTHERS</u> \$	<u>TOTAL</u> \$
1. Liabilities			
- Pensioners	23,743,400	8,029,300	32,772,700
- Deferred Pensions	68,700	113,800	182,500
- Standard Terms	35,894,700	16,049,600	51,944,300
- Annuity Plan	9,700	2,600	12,300
- Total	59,716,500	24,195,300	83,911,800
2. Future Contributions	6,902,300	4,966,600	11,868,900
3. TOTAL LIABILITIES	52,814,200	19,228,700	72,042,900
	=====	=====	=====
4. TOTAL ASSETS	46,841,300	21,423,100	68,264,400
	=====	=====	=====

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE DAY OF A.D., 198 .

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 198

CITY CLERK

MAYOR

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

JAN 27 1986

### MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 January 28  
7:30 o'clock p.m.  
Council Chambers, City Hall

\* 7:00 o'clock p.m., Nominating Committee, Council Chambers

#### A G E N D A

1. Prayer - Reverend J. Styles, Chairman of the Hamilton and District Council of Churches, St. Georges Anglican Church
2. Presentation - Mr. Scott McLarty  
- 1985 Ironman Triathlon
3. Minutes of the Meeting held 1986 January 14
4. Correspondence
  - (a) Letter dated 1986 January 20 from The Hamilton Harbour Commissioners
5. Reports of Standing Committees - attached:
  - (A) Executive Committee
  - (B) Transport and Environment Committee
  - (C) Parks and Recreation Committee
  - (D) Planning and Development Committee
  - (E) Legislation Committee
  - (G) Finance Committee
7. First reading of the Bills
8. Second reading of the Bills - Committee of the Whole
9. Third reading of the Bills
10. Question period
11. Adjournment.





C O R R E S P O N D E N C E



1

1



2

1



605 James St. N.  
Hamilton, Ontario, Canada  
L8L 1K1

Hamilton 525-4330  
Toronto 1-800-263-2131  
Telex 061-8638



The Hamilton  
Harbour  
Commissioners

REGISTERED

January 20, 1986

RECEIVED

JAN 21 1986  
CITY CLERKS

Mr. E. A. Simpson  
City Clerk  
Corporation of the City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8N 3T4

Dear Mr. Simpson:

On behalf of the Commissioners I am writing to give notice and to let you know that effective February 7th, 1986 the Hamilton Harbour Commissioners will no longer be providing policing and Search and Rescue Services at the Harbour of Hamilton.

The Commissioners, after much serious consideration and study have decided to disband its Harbour Police Force. This was a very hard decision that simply could not be helped.

Yours very truly,

THE HAMILTON HARBOUR COMMISSIONERS

RRH:iw

R. R. HENNESSY, P. Eng.

PORT DIRECTOR





## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its THIRD Report for 1986 and respectfully recommends:

1. (a) That permission be granted to The Image Group, Hamilton, Ontario to use the name "Hamilton" for promotional purposes; and  
  
(b) That the Council of the Corporation of the City of Hamilton endorse the local and multiple Image format (Schedule "A" and "B" attached) as prepared by The Image Group for use in marketing the City of Hamilton.
2. That permission be granted to the Hamilton Philharmonic Orchestra to hold a press conference on the King Street East Pedestrian Bridge on Wednesday, March 26, 1986.
3. That signage be permitted on the King Street East Pedestrian Bridge subject to;  
  
(a) The signage not be more than 60" long by 18" in height, with lettering not to exceed 8" in height.  
  
(b) All signage, internally and externally be approved by the Convention Centre Management.
4. Recommendation on Standing Committee Report:  
  
Parks and Recreation Committee - Item 7.  
  
(a) That the words "be placed in the 1986 - 1990 Capital Budget" in Sub-section (a) (c) and (d) be deleted and replaced with the words "be recommended to the Capital Budget Committee for inclusion in the 1986 -1990 Capital Budget."  
  
(b) That the following be added as a second paragraph in Sub-section (b):  
  
That the City's first point of negotiations with the Federal and Provincial Authorities relative to financing for this project, be on the basis that the total cost of the project be borne by the Federal and Provincial Governments.

5. That leave be granted to introduce the following bill:

A-1 To Appoint Persons to Various Boards and Committees.

Respectfully Submitted

Mayor R. M. Morrow, Chairman  
Executive Committee

J. J. Schatz, Secretary  
Executive Committee  
1986 January 23

Schedule "A" referred to in  
Item 1 of the Third Report  
of the Executive Committee.





Schedule "B" referred to in  
Item 1 of the Third Report  
of the Executive Committee.

# HAMILTON



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REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its THIRD Report for 1986 and respectfully recommends:

1. That an Offer to Purchase the property at 97 Hunter Street East executed by Dexter McMillan, In Trust, on December 10, 1985 and scheduled for closing on March 20, 1986, be approved and completed.

NOTE: The subject property has a frontage along the northerly limit of Hunter Street East of 18 feet (5.51m) by a depth of 42.9 feet (13.104m) more or less, shown as Part 8 on Plan 62R-7165. The sale price of \$10 000 is to be credited to Account No. 0280-02. A deposit cheque in the amount of \$1 000 is being held by the City Treasurer pending approval of this transaction.

2. That in accordance with the Expropriations Act concerning 683.6m<sup>2</sup> of vacant property shown as Part 2 on Plan 62R-7599 which was expropriated on December 10, 1985 for the extension of Kingsberry Street to Carson Drive, the City Clerk be authorized and directed to sign and serve Notice pursuant to Section 41 of the Expropriations Act that possession of this property is required by the City.
3. (a)
  - i. That a stop sign be erected to control northbound traffic on Valanna Court at Guildwood Drive; and
  - ii. That a stop sign be erected to control northbound traffic on Milano Court at Guildwood Drive; and
  - iii. That a stop sign be erected to control northbound traffic on Firenze Street at Guildwood Drive.
- (b) That the direction of stop sign control at the intersection of Goldfinch Road and Bobolink Road be switched, such that northbound traffic on Goldfinch Road is required to stop at Bobolink Road.
4. (a) That a parking prohibition be implemented on the north side of King Street West, commencing at a point 148 feet west of Paisley Avenue and extending to a point 31 feet westerly therefrom.



- (b)
  - i. That a "Reserve Permit Parking" regulation be implemented on the west side of Ray Street North, commencing at a point 120 feet south of Florence Street to a point 24 feet southerly therefrom; and
  - ii. That Mr. Grant Hill, 97 Ray Street North, be issued one parking permit to allow his vehicle to be parked in this "Reserve Permit Parking" space.
- (c)
  - i. That the existing parking prohibition on the east side of Leeming Street, commencing at a point 140 feet south of Barton Street East and extending to a point 120 feet southerly therefrom be rescinded; and
  - ii. That the existing parking prohibition on the west side of Leeming Street between Barton Street East and Wright Avenue be shortened, such that the regulation commences at Barton Street East and extends to a point 187 feet southerly therefrom; and
  - iii. That parking in these areas be controlled by the "Alternate Side Parking" regulation which presently controls the parking in the remainder of the block; and
  - iv. That parking be prohibited between the hours of 8:00 a.m. and 6:00 p.m., seven days a week, on the east side of Leeming Street, commencing at a point 30 feet south of Barton Street East and extending to a point 30 feet southerly therefrom.
- (d)
  - i. That two one-hour parking meters be installed on the west side of East 25th Street adjacent to the Mountain Physiotherapy Clinic, 644 Concession Street; and,
  - ii. That stopping be prohibited on the west side of East 25th Street between Concession Street and a point 50 feet south.
- (e)
  - i. That a by-law entry authorizing the erection of "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Saturday; signs on the south side of Crockett Street between East 35th Street and a point 82 feet westerly therefrom be rescinded; and
  - ii. That parking be prohibited on the south side of Crockett Street between East 35th Street and a point 58 feet westerly therefrom.

5. (a) That stopping be prohibited between the hours of 8:00 a.m. and 5:00 p.m., Monday to Friday, on the east side of East 16th Street commencing at a point 124 feet south of Concession Street and extending to a point 56 feet southerly therefrom.
- (b) That stopping be prohibited on the south side of Crockett Street between East 36th Street and a point 52 feet westerly therefrom.
6. That a "Commercial Vehicle Loading Zone" regulation to be in effect 24 hours a day, seven days a week, be implemented on the west side of Locke Street South between Chatham Street and a point 58 feet southerly therefrom.
7. That City Council request GO Transit to improve the parking lot illumination in the parking lot on the west side of James Street at the C.N.R. station.
8. That the speed limit on Limeridge Road West in the vicinity of the curved section east of Kendale Court be reduced from 50kmh to 40kmh, effective immediately.
9. That a four-way stop control be installed at the intersection of Charlton and Ferguson Avenues.
10. i. That the driveway approach at 19 Mill Street be extended westerly to the wheelchair ramp at the City's expense of approximately \$140 and that the Finance Committee be requested to recommend the method of financing; and
- ii. That the City contribute \$400 towards the cost of the construction of the retaining wall at 19 Mill Street and that the Finance Committee be requested to recommend the method of financing.
11. i. That in accordance with By-law 66-100 that the Steel Company of Canada be given an annual overload permit for the year 1986 for ten vehicles for a total fee of \$3 383.50.
- ii. That 12% or \$406.02 be credited to City account number 0310-1919 and that 88% or \$2 977.48 be credited to Regional account number 0310-5187.

12. i. That the following changes be made in the maximum charges per metre of frontage, relative to Local Improvements:

<u>Item</u>	<u>Maximum Charge Per Metre of Frontage</u>	
	<u>From</u>	<u>To</u>
Curbs Only	\$ 40	\$ 40
Sidewalks Only	\$ 55	\$ 61
Sidewalks and independent curbs or combined sidewalks and curbs	\$ 61	\$ 72
Roadway Only	\$160	\$167
Alleys	\$ 47	\$ 59
Roadway and Curbs Only (Industrial Subdivisions)	\$185	\$190

- ii. That the City Solicitor be authorized and directed to amend the Local Improvement By-law.
13. (a) That the application of Mr. S. Yanover, on behalf of the owner of 91 Pearl Street South, Mr. Ronney Alexander Malott, to retain the following inadvertent encroachment on the road allowance consisting of a wood porch and steps 1.75m (5.75') by 6.09m (20.0'), be approved, during the pleasure of City Council, provided:
- i. The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
- (b) That the application of Mr. N. Stockdale, on behalf of the owner of 83 Lloyd Street, Hamilton, Diton Construction Co., to retain the following inadvertent encroachment on the road allowance consisting of a building, 0.24m (0.80') by 9.14m (30.0'), be approved, during the pleasure of City Council, provided:
- i. The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

- (c) That the application of Mr. W. P. Mackesy, on behalf of the owner of 83 Augusta Street, McGivney Community Homes Inc., to retain the following inadvertent encroachment on the road allowance consisting of veranda stops, 0.23m (0.77') by 1.83m (6.0'), be approved, during the pleasure of City Council, provided:
- i. The owner enter into an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - ii. An annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.
14. (a) i. That the submitted schedules for the estimated cost of services in "Wentworth Meadows", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 1(B)14 of the Twenty-Fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 August 27, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Stone Church Holdings Limited.

- (b) i. That the submitted schedules for the estimated cost of services in "Hillside Terrace - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and



- iii. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 10(B) of the Twelfth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1980 March 25, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is Gurnett Investments Limited.

- (c) i. That the engineering schedules for the estimated cost of services in "Kingsberry Gardens - Phase 3", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the City's share for the cost of services for this development (\$4 803) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Final Roads	<u>\$4 803</u>
TOTAL	\$4 803

- iii. That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 5(b) of the Twenty-Sixth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1984 December 11, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands is P. Barnett Construction Limited.

- (d) i. That the engineering schedules for the estimated cost of services in "Rexford Survey", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the City's share for the cost of services for this development (\$38 319) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Sidewalks and Curbs	\$ 7 647
Final Roads	19 088
Dead-End Barricades	920
Street Lighting	1 500
Watermains	<u>9 164</u>
TOTAL	\$38 319

- iii. That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 10(c) of the Twenty-Fifth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 September 24, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands are 465624 Ontario Limited (Frances H. Vandervelde - Secretary).

- (e) i. That the engineering schedules for the estimated cost of services in "Paradise Park Estates", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the City's share for the cost of services for this development (\$86 603) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Catch Basins and Connections	\$ 3 224
Sidewalks and Curbs	13 004
Final Roads	67 065
Dead-End Barricades	1 060
Street Lighting	<u>2 250</u>
TOTAL	\$86 603

- iii. That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 1(a)(ii) of the Tenth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 April 9, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands are Corad Developments Limited.

- (f) i. That the engineering schedules for the estimated cost of services in "Paradise Green", approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the City's share for the cost of services for this development (\$21 079) be charged to the Reserve for Services Through Unsubdivided Lands, Account No. 0280-12;

<u>TYPE OF WORK</u>	<u>AMOUNT TO BE FINANCED</u>
Catch Basins & Connections	\$ 1 816
Sidewalks and Curbs	2 689
Final Roads	11 696
Dead-End Barricades	353
Street Lighting	750
Watermains	<u>3 775</u>
TOTAL	\$21 079

- iii. That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and

- iv. In the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.

NOTE: Clause 12(b) of the Twenty-fourth Report of the Planning and Development Committee, as adopted by City Council, at its meeting held on 1985 August 27, recommended that a Subdivision Agreement be entered into between the City of Hamilton and the owners of the lands to be subdivided. The present owner of these lands are Manuel and Lucy Pestana-Roca and Novoco Enterprises Limited.

15. For the information of Council, the following Aldermen have been appointed to sit on the Pollution Control Sub-Committee:

Alderman H. Merling  
Alderman S. Collins  
Alderman M. Kiss  
Alderman D. Christopherson

16. That leave be granted to introduce the following bills:

- (a) B-9 By-law to amend By-law 66-100 to Regulate Traffic  
(b) B-10 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary

1986 January 20









REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FOURTH Report for 1986 and respectfully recommends:

1. That the sale of City owned lands known as Part 1, Plan 62R-7951, rear land of 332 Lake Avenue North to Mr. Tony Christopher Hanco be approved and that the said Offer to Purchase duly executed on 1985 December 31 by the purchaser and scheduled for closing on 1986 August 22 be approved and completed.

NOTE: This Offer to Purchase is conditional on the following terms:

- (a) (i) It is understood and agreed by the Purchaser and Vendor that the closing of this transaction is conditional upon the subject lands receiving an Official Plan Amendment and rezoning to allow industrial uses on this site and incorporating the concerns of the Hamilton Region Conservation Authority.
- (ii) If the aforementioned conditions cannot be complied with, then the Purchaser or Vendor may terminate this agreement by delivering on or before 1986 August 1, written notice of either party and the Purchaser shall not be liable for any damages or costs and the Vendor shall return the Purchaser's deposit without interest.
- (b) It is further understood and agreed by the Purchaser that the Purchaser covenants and agrees to and with the Vendor:
  - (i) That within six months of the closing date the Purchaser install at its own costs a permanent fence along the north and east lot lines in order to separate the proposed industrial use from the open lands.
  - (ii) That the Purchaser must within six months of the closing date regrade and topdress the filled area located on the northern limit of the subject lands in accordance with the approval of the Hamilton Region Conservation Authority. To protect existing trees, no additional fill will be placed on the subject lands.



(iii) 1. In the event that the Purchaser does not comply with covenants b(i) and b(ii) or either of them by the date(s) set out therein, the Purchaser covenants and agrees that the Purchaser shall sell the lands to the Vendor free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the Vendor for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the Vendor to a real estate agent; (c) arrears of realty taxes (including the local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

2. The said Vendor as registered owner and the said Purchaser hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said Purchaser.

(c) The Purchaser agrees that the restrictions, covenants and agreements in paragraphs (b)(i) and (b)(ii) shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor, its successors and assigns.

(d) The Purchaser agrees that the transfer to him which he shall execute shall be subject to and include said paragraphs (b)(i) and (b)(ii) and its restrictions, covenants and agreements.

The purchase price is \$20,624. A cash deposit in the amount of \$2,062. is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located to the rear of 332 Lake Avenue North having a measurement of 57.193m (187.64 feet) by 34.851/37.669m (114.34 feet/123.58 feet) and containing an area of 2086.6m<sup>2</sup> (.5156 acres) and more particularly described as Part I, Plan 62R-7951.

2. That an immediate Authority to Enter, requested by the Regional Municipality of Hamilton-Wentworth, onto City owned lands, in the area of Greenhill Avenue, be granted by the City and that the Mayor and the City Clerk be authorized to execute the agreement in a form satisfactory to the City Solicitor.

NOTE: This Authority is required for the commencement of construction of an underground sewage storage facility prior to 1986 March 31 in order to qualify for subsidy funding from the Ministry of the Environment. Unfortunately, due to incompleted road closings which are required for the previously agreed to transaction to be finalized, the lands required may not have been conveyed to the Region by this date.

3. (a) That the public telephone booths located in Gore Park remain in their existing location; and
- (b) That Bell Canada be asked to investigate alternative phone booth styles for placement in the Park or in a suitable alternative location should one become evident (e.g. proposed Regional Tourist Information Facility).

NOTE: The Parks and Recreation Committee at its meeting held 1985 August 27 discussed the appearance of the telephone booths presently installed in Gore Park as to the relative compatibility with the park design, and referred the matter to the Downtown Action Plan Co-ordinating Committee. The Downtown Action Plan Co-ordinating Committee met with representatives from Bell Canada to ascertain the possibility of alternative styles and locations.

4. That the contract with Delmar Contracting Limited for the Pipeline Park in the Homeside Neighbourhood, be reduced by \$13,470. and that the City purchase prior to 1986 March 31, sod and park furniture for this project with these funds.

NOTE: Due to inclement weather and unsuitable site conditions, Delmar Contracting Limited has been unable to complete the Pipeline Park project in the Homeside Neighbourhood.

In order for the City to receive the full 50% provincial contribution for this project (through the Ontario Neighbourhood Improvement Programme) all monies are to be expended, including holdbacks to the contract by 1986 March 31. To ensure that the books are closed, the contract should be reduced and the sod and furniture purchased prior to 1986 March 31. The Parks Division will complete the park construction in Spring of 1986.

5. That the contract with Delmar Contracting Limited for the Pipeline Park in the Homeside Neighbourhood, be increased by \$984.49 to cover the cost of removing three underground gas tanks.

NOTE: Sufficient funds are available to cover this additional cost in account #0364-9819. During construction of the park, the contractor discovered three underground gas tanks, directly south of 259 Fairfield Avenue North.

6. That permission be granted to the Berrisfield Community Council to include a tractor-drawn hay ride as part of the Community Winterfest '86 activities at the Berrisfield Park providing that:
  - (a) the applicant contact the staff of the Parks Division just prior to the event on 1986 January 25, to assure that the grounds are still frozen and minimal damage would result.
  - (b) the Community Council has a \$2 million dollar Insurance Policy naming the City as co-insured.

- \* 7. (a) That \$10,000,000 be placed in the 1986-1990 Capital Budget for the Waterfront Project, indicating a construction start and OMB approval dated no earlier than 1987.
- (b) That no capital expenditures be allocated to the project other than the necessary site planning and environmental studies and clean up in order to make the area safe. Further, that no major capital construction be initiated until the Federal and Provincial funding is committed. (This statement to be placed as part of the Capital Budget Approval).
- (c) That \$400,000 relating to environmental work for the Waterfront Parks Development Project be placed in the 1986-1990 Capital Budget with the work to be commenced and completed in 1986.
- (d) That \$200,000 relating to consulting services for the Waterfront Parks Project be placed in the 1986-1990 Capital Budget with the assignment to be commenced and completed in 1986.

NOTE: Previously forwarded to the members of City Council was a report dated 1986 January 17 from the City Treasurer outlining three financial scenarios for consideration. The Parks and Recreation Committee at its meeting on 1986 January 21, approved "Scenario A" as detailed above in Item 7(a).

\* Referred to in Item 4 of the Report of the Executive Committee.

8. Whereas the City has accepted the gift of 22 Veevers Drive by Ronald H. Veevers and Bertram M. Veevers; and

Whereas pursuant to Paragraph 25 of the agreement between Veevers and the City, the City has agreed to pay maintenance and related costs from and after the date this Agreement is registered on title; and

Whereas the Agreement was subject to Ontario Municipal Board approval and the Agreement could not be registered until this approval was given.

Therefore be it resolved:

- (a) That the City assume the utility charges (water, gas, hydro) and realty taxes for 22 Veevers Drive as of 1985 January 1.
- (b) That the City Solicitor be authorized and directed to make the necessary application to the Ontario Municipal Board to amend the Agreement accordingly.

NOTE: For the information of the members of City Council, charges from 1985 January 1 to date total approximately \$8,214.32 and with this approval, expenses will continue to be paid until the Agreement is registered, at which time the City is obligated to pay these costs pursuant to Paragraph 25.



9. That Section 2 (c) of the Nineteenth Report of the Parks and Recreation Committee approved by City Council on 1985 October 29 which establishes a Waterfront Park Sub-Committee composed of three (3) Council members and four (4) citizens be amended to provide for the composition as follows: three (3) Council members, ten (10) citizen members and one (1) Hamilton Harbour Commissioner.

NOTE: Due to an overwhelming response of qualified citizen applicants, the Parks and Recreation Committee approved that the citizen members be increased to ten (10). In addition to the one Hamilton Harbour Commissioner, the Hamilton Harbour Commission will be invited to appoint a staff member to the Sub-Committee as a resource person with no voting privileges.

10. For the information of the members of City Council, the Parks and Recreation Committee has appointed the following citizens to the Waterfront Park Sub-Committee and the Parks and Recreation Advisory Sub-Committee:

(a) Waterfront Park Sub-Committee

Bruce Charlton  
John Findlay  
Don Granger  
David Ker  
Sharon Lehnert  
Carmen Rizzotto  
Ernie Seager  
Ollie Thomson

NOTE: City Council will be advised at a later date of the two additional citizen members.

(b) Parks and Recreation Advisory Sub-Committee

Lou Franco  
Frank Hickey  
John Kiriakopoulos  
Gene Kwiatkowski  
Hugh McKerracher  
Ken Phillips  
Joan Rapsavage  
Michael Russell  
Marion Tryburski

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale  
Secretary  
1985 January 21









## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its THIRD Report for 1986 and respectfully recommends:

1. That approval be given to Zoning Application 85-88, Dan and Sandra Macdonald, owners, of property located at No. 296 Brucedale Avenue East, as shown on the attached plan marked as APPENDIX "A" on the following basis:
  - i) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
    - a) That notwithstanding the provisions of Section 13(1) of By-law No. 6593, a printing shop shall be permitted within the existing building.
  - ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-945, and that the subject lands on Zoning District Map E-16 be notated S-945;
  - iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-16; and,
  - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

### Explanatory Note:

The purpose of the By-law is to provide a modification to the established "G" (Neighbourhood Shopping Centre) District regulations for property located at No. 296 Brucedale Avenue East, as shown on the attached map marked as APPENDIX "A" on the following basis:

The effect of the By-law is to permit, in addition to the "G" (Neighbourhood Shopping Centre) District uses, a printing shop within the existing building.



2. 1) That approval be given to Zoning Application 85-90, West Highland Management Ltd., prospective owner, requesting a change in zoning from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District for the lands located at the southwest corner of Stone Church Road West and Garth Street as shown on the attached plan marked as APPENDIX "B" on the following basis:
  - a) That the subject lands be rezoned from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential etc.) District to "RT-20" (Townhouse-Maisonette) District:
  - b) That the "RT-20" (Townhouse-Maisonette) District provisions as contained in Section 10E of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement:
    - i) That notwithstanding Section 10E(7)(a) of Zoning By-law No. 6593, a density of development not exceeding 25 units shall be permitted;
  - c) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-946, and that the subject lands on Zoning District Map W27C be notated S-946;
  - d) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W27C; and,
  - e) That the proposed change in Zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- 2) That the Falkirk Neighbourhood Plan be amended by redesignating the property located at No. 449 Stone Church Road West from "Attached Housing" to "Single and Double" Residential.

**Explanatory Note:**

The purpose of the By-law to provide for a change in zoning from "AA" (Agricultural) District and "B" (Suburban Agricultural and Residential, etc.) to "RT-20" (Townhouse-Maisonette) District, for lands at the south-west corner of Stone Church Road West and Garth Street as shown on the attached map marked as APPENDIX "B".

In addition, the By-law provides for a modification to the provisions of Section 10E(7)(a) of the "RT-20" (Townhouse-Maisonette) District to permit a density of development of not exceeding 25 townhouse units for the subject lands instead of 24 units.

3. 1) That approval be given to Zoning Application 85-91, Dr. Sparrow Rabideau, prospective owner, for a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to the property located at No. 238 West 15th Street, as shown on APPENDIX "C" on the following basis:
  - i) That the "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to include the following variances as special provisions:
    - a) That notwithstanding Section 9(1) of Zoning By-law No. 6593, the following additional uses shall be permitted:
      - 1) A medical office, for one Doctor only, in the building existing at the time of passing the By-law; and,
      - 2) A ground sign, wall sign, or projecting sign of an area of not more than 0.4 square metres non-illuminated or illuminated by non-flashing indirect or interior means only located at least 1.5 metres from the nearest street line.
    - b) That a minimum 1.5 m wide landscaped area shall be provided and maintained along the northerly side lot line and the front lot line, except for the area required for an access driveway.
  - ii) That the Amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-947, and that the subject lands on Zoning District Map W-17 be notated S-947;
  - iii) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map W-17; and,
  - iv) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

- 2) That By-law No. 79-275 be amended to place the subject lands under Site Plan Control and that the subject Zoning By-law not be passed until the Site Plan has been approved by the Planning and Development Committee.

**Explanatory Note:**

The purpose of the By-law is to provide for a modification to the established "C" (Urban Protected Residential, etc.) District provisions applicable to property located at No. 238 West 15th Street as shown on the attached plan.

The effect of the By-law is to permit a medical office for one doctor only in the existing building.

In addition, a ground sign, wall sign, or projecting sign of not more than 0.4 square metres (4.31 sq. ft.) non-illuminated or illuminated by non-flashing, indirect or interior means only located at a distance not less than 1.5 m (4.92 sq. ft.) from the nearest street line shall be permitted. Further, the By-law provides that a minimum 1.5 m wide landscaped area shall be provided along the northerly side lot line and the front lot line, except for the area required for an access driveway.

The subject property has also been made subject to Site Plan Control.

4. That Zoning By-law No. 6593, as amended by By-law No. 85-200, with respect to properties at Nos. 252, 262 and 268 James Street South as shown on the attached plan marked as APPENDIX "D," be further amended on the following basis.
  1. That Subsection (b) of Section 1 of By-law No. 85-200 be amended by deleting the following wording after the word "shall" in the second line; "be prohibited from any storey exceeding the second storey of an existing building and from any storey exceeding the first storey of a building addition," and that the following wording be substituted in place thereof, so that the amended clause (b) reads as follows:

"b) COMMERCIAL USES comprised of medical offices shall be limited to a maximum of 50% of the total gross floor of the building excluding the basement or cellar;"



2. That Subsection (c) of Section 1 of By-law No. 85-200 be amended by adding the words "save and except for the existing dwelling unit located in the basement of No. 268 James Street South, which shall be retained for residential use;" at the end of the Subsection, so that it reads as follows:

"c) Any use other than storage and mechanical rooms shall be prohibited in any basement and from any cellar, save and except for the existing dwelling unit located in the basement of No. 268 James Street South, which shall be retained for residential use,"

3. That Subsections (g) through (k) of Section 1 of By-law No. 85-200 be re-lettered as Subsections (h) through (l), and that a new Subsection (g) be introduced between Subsections (f) and (h) which reads as follows:

"g) That the southerly driveway access for the parking lot along the westerly property line adjacent to Markland Street shall be limited to an entrance only from Markland Street."

#### Explanatory Note

The purpose of the By-law is to amend By-law No. 85-200 applicable to property located at Nos. 252, 262 and 268 James Street South, as shown on the attached map.

The effect of the By-law is:

1. To restrict the total gross floor area of medical offices to a maximum of 50% of the total gross floor area of the building excluding the basement or cellar, whereas By-law No. 85-200 would have permitted COMMERCIAL USES comprised of medical offices but prohibited them from any storey exceeding the second storey of an existing building and from any storey exceeding the first storey of a building addition, which would have the effect of permitting a maximum of approximately 66% of the gross floor area of the building excluding the basement or cellar to be used for this purpose;



2. To permit the existing dwelling unit located in the basement of No. 268 James Street South, and to retain it for residential use; and,
  3. To restrict the southerly driveway access for the parking lot along the westerly property line adjacent to Markland Street to an entrance only from Markland Street.
5. That Zoning Application 85-89, Gino Cavicchioli, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District regulations applicable to the property located at No. 84 St. Clair Avenue, to permit the conversion of the existing two-family dwelling to a three-family dwelling be denied for the following reason:
- The proposal would set an undesirable precedent for future similar applications.
6. That Zoning Application 85-92, Ontario Land Corporation, owner, requesting a change in zoning from "C" (Urban Protected Residential, etc.) District to "RT-20" (Townhouse and Maisonette) District for property located at the south-east corner of Upper Gage Avenue and Beryl Street to permit a future townhouse development be denied for the following reason:
- The proposal represents an inappropriate form of development which is contrary to the Berrisfield Neighbourhood Plan which designates the subject site "Civic and Institutional."
7. That Zoning Application 85-86 by Gullivers Motors Limited, owner, requesting a modification to the established "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District regulations for the property located at No. 128 Sanford Avenue North to permit the parking, display and storage of automobiles in conjunction with the established automobile dealership located at No. 505 Cannon Street East be denied for the following reasons:
1. The proposed modification provides for a commercial use which would be an intrusion into a stable residential area of single-family dwellings.
  2. The proposal does not conform to the approved Gibson Neighbourhood Plan; and,

3. Approval of the application would establish an undesirable precedent and set the stage for further similar applications.
8. That the draft approval for the following:
- Rexford Heights Phase 2 (Regional File No. 25T-77033),  
Rexford Gardens Phase 2 (Regional File No. 25T-77034)  
and proposed Condominium by Centre Mortgage (Regional  
File No. 25CDM-79001), be recommended to the Region  
for a one (1) year extension.
9. a) That the City Solicitor be authorized and directed to  
prepare a by-law to establish a Heritage Conservation  
District under the Ontario Heritage Act for the St.  
Clair Area and that the By-law be submitted to the  
Ontario Municipal Board for approval within 14 days of  
adoption by the City, and
- b) That the attached policies marked as APPENDIX "E" be  
adopted by Council to guide the conservation of the  
St. Clair Heritage District.

**Explanatory Note:**

The designation of the heritage conservation district and the supporting policies are needed to achieve conservation objectives for the St. Clair area. The designation and policies are supported by the St. Clair Homeowners Association and the Local Architectural Conservation Advisory Committee (LACAC).

10. a) That the proposed Amendment No. 17 to the  
Hamilton-Wentworth Official Plan be endorsed as  
revised; and
- b) That the City Clerk be directed to advise the Ministry of  
Municipal Affairs regarding i) above.

**Explanatory Note:**

The Ministry of Municipal Affairs has requested the City's comments on proposed Amendment No. 17 to the Hamilton-Wentworth Official Plan. This Amendment is based on the Rural Policy Review conducted by the Hamilton-Wentworth Planning and Development Department (December 1983). The proposed Amendment will update and expand on the Rural Policies of the Hamilton-Wentworth Official Plan.

11. a) That proposed Amendment No. 21 to the  
Hamilton-Wentworth Official Plan would have no  
adverse effect on the City of Hamilton; and

- b) The City Clerk be directed to advise the Hamilton-Wentworth Planning and Development Committee regarding i) above.

**Explanatory Note:**

The Hamilton-Wentworth Planning and Development Committee has requested the City's comments on proposed Amendment No. 21 to the Hamilton-Wentworth Official Plan. The proposed Amendment would redesignate lands located at the south-east corner of Highway No. 6 and Dickenson Road to "Urban Policy Areas - Industrial Business Parks" in the Township of Glanbrook.

- 12. a) That the City appoint the two Ward Aldermen and one other City Council member to the Hamilton Beach Study Steering Committee.
- b) That the City advertise for citizen members (two Hamilton Beach representatives and one citizen at large) for the Steering Committee.
- c) That the governmental representatives, of the Steering Committee i.e., Provincial, Regional, HRCA and City be responsible for:
  - i) Recommending a consultant to carry out the study to the City and to the HRCA;
  - ii) Selecting citizen members for the Steering Committee.
- d) That the Steering Committee as proposed by the Hamilton Region Conservation Authority oversee the study with the aid of City and HRCA staff to ensure that the Terms of Reference are carried out and that the Steering Committee make recommendations to the City and HRCA at the end of the study.

**Explanatory Note**

The Hamilton Beach study is to be undertaken later this year by a firm of consultants. A Steering Committee is required by the Terms of Reference to guide and oversee the project. The report recommends the composition and setting up of the Steering Committee.



13. a) That the City of Hamilton through the Department of Community Development take part in a special demonstration project on the viability of developing a rehabilitation programme for high rise apartment buildings (for the information of City Council, only Hamilton, Toronto and Ottawa have been asked to participate).
- b) That the Department of Community Development be responsible for the administration of the Programme including the processing of applications and the facilitation of Provincial approvals.
14. a) That the Department of Community Development on behalf of the City of Hamilton be directed to apply to the Minister of Housing for funding under the Provincial Government's Low Rise Apartment Building Rehabilitation Programme.
- b) That the City of Hamilton request the Minister to provide the funding for 1986-1987 - for the rehabilitation of a minimum of five hundred (500) units. (The Province has made a five (5) year commitment to the Programme).
- c) That the Department of Community Development be responsible for the administration of the Programme including the processing of applications and the facilitation of Provincial approvals.
15. That the Department of Community Development be authorized to process grants and or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)
- That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.



## Ontario Home Renewal Programme

1. R. Hardie  
35 Myrtle Avenue
2. E. Lawton  
110 East 6th Street

## Hamilton Rehabilitation Programme

1. E. Miller  
74 Pearl Street North

16. That the application for the issuance of a Demolition Permit for the demolition of the residential building located at 1543 Rymal Road East BE NOT approved until zoning modification has been approved by the Planning and Development Committee and City Council to allow for a building supply outlet at this location.
17.
  - a) That the Right Honourable B. Grandemaitre, Minister of Municipal Affairs be advised of the challenge of City of Hamilton By-law 84-35 - To Provide for Maintaining Lands in a Clean and Clear Condition, through the Charter of Rights.
  - b) That the Attorney General's Office be advised of the implication of the challenge being successful.
  - c) That the City retain the services of outside Counsel specializing in Constitutional Law, and if possible, local Counsel be appointed.
  - d) That the City Solicitor be directed to recommend the appointment of Counsel.
  - e) That a staff member of the City Solicitor's Department be authorized to assist Counsel in the preparation of the City's case.
18. That the City owned lands lying to the rear of 1215 Stone Church Road East measuring 100 feet by 400 feet more or less be incorporated into the site of the Fire Department Training Complex.
19. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to Mil-Bru Properties Limited, owners of 1138 Stone Church Road East, Part 2, 62R-1458 to release the property from the construction covenants to the City as contained in deed number 13777/C.D.

20. a) That the demolition of the property at 258 Beach Boulevard approved by City Council August 27, 1985, be held in abeyance until such time as the Proposed Hamilton Beach Study is completed.
- b) That the Director of Real Estate be authorized and directed to secure the buildings at 258 Beach Boulevard against trespass.
- c) That the Finance Committee be requested to recommend the method of financing the expenses to be incurred which are estimated to be approximately \$400. for initial boarding and \$200. per month for maintenance and unknown vandalism which may occur.
21. That approval be given to the Terms of Reference of the Local Architectural Conservation Advisory Committee attached hereto as APPENDIX "F".
22. The Corporation of the City of Hamilton accept the sum of \$36,497.70 as cash payment in lieu of 5% dedication in connection with "Lake Park Pointe", Hamilton.
- Note: These lands are located on the west side of Grays Road adjacent to Lake Ontario in the Confederation Park Neighbourhood, Hamilton.
23. a) That approval be given to revise the material for the support for Birks Clock to be constructed to precast concrete faced with Ottawa Red Granite Chips, rather than polished granite slabs.
- b) That the allocation for engineering and consulting costs be increased by \$2,800. and that the Finance Committee be requested to recommend the method of financing this additional expenditure.

Explanatory Note:

At its meeting held December 10, 1985, City Council in adopting Item 26 of the First Report of the Planning and Development Committee approved that the material of the Birks Clock support be revised to granite rather than tempered mirror glass and authorized a change in the purchase order to the Contractor in the amount of \$15,000., to cover the cost of this revision.

Since approval by Council of an increase to the allocation of this project, the City Architect has been unable to obtain a satisfactory fixed price for

polished granite finish. However, he has received a price for precast concrete slabs which have a finish of reddish granite chips, are quite similar in appearance to the granite slabs and have almost unlimited service life, within budget.

24. That leave be granted to introduce the following Bills:

- Bill D-6      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No. 733  
Upper Paradise Road.
- Bill D-7      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at the North-West corner  
of Barton Street East and Brockley Drive.
- Bill D-8      By-law to Establish Site Plan Control Respecting  
Land Located at the North-West Corner of Barton  
Street East and Brockley Drive.
- Bill D-9      By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal Nos. 1543  
and 1549 Rymal Road East.

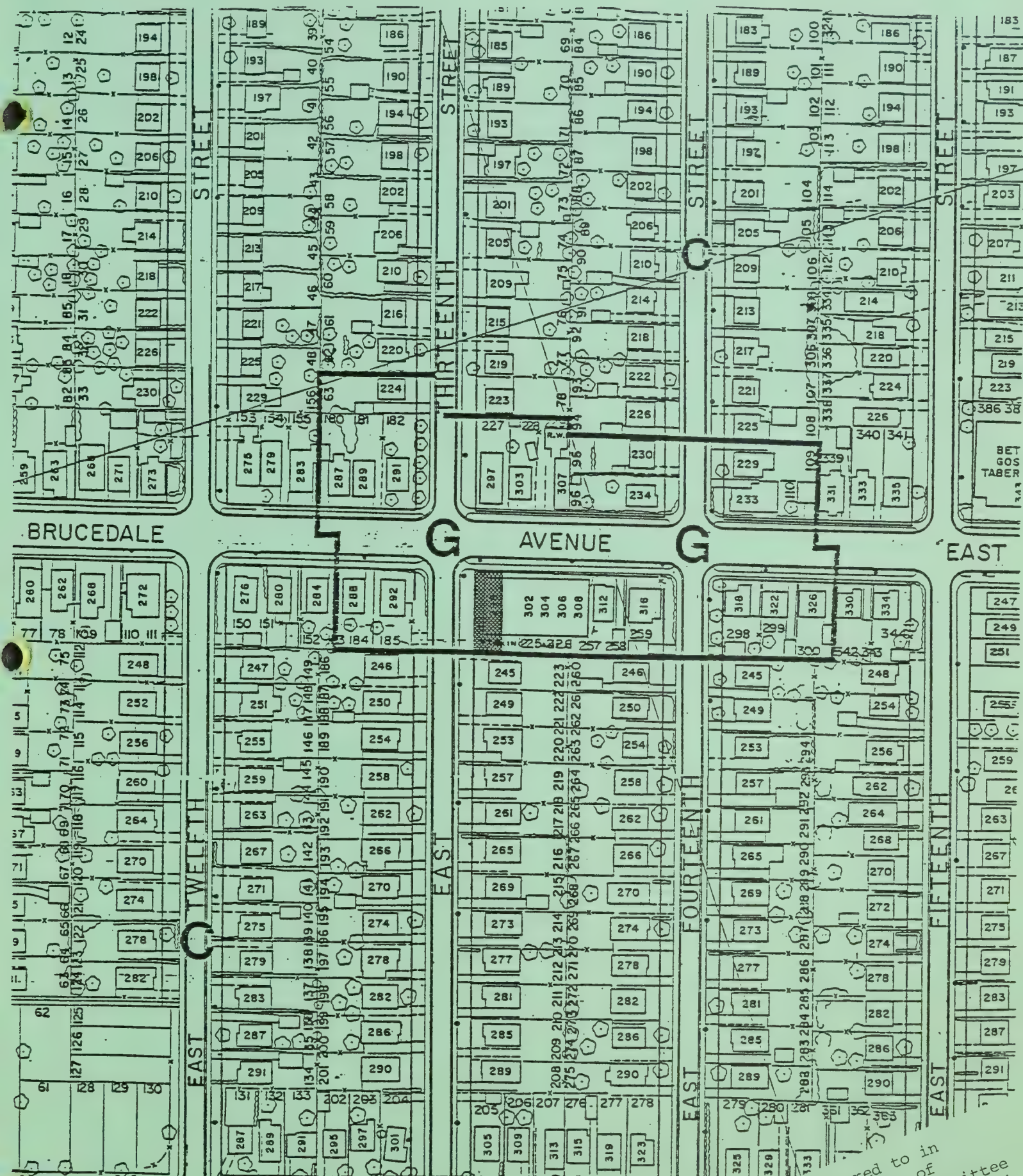
Respectfully submitted,

Alderman John Smith, Chairman  
Planning and Development  
Committee

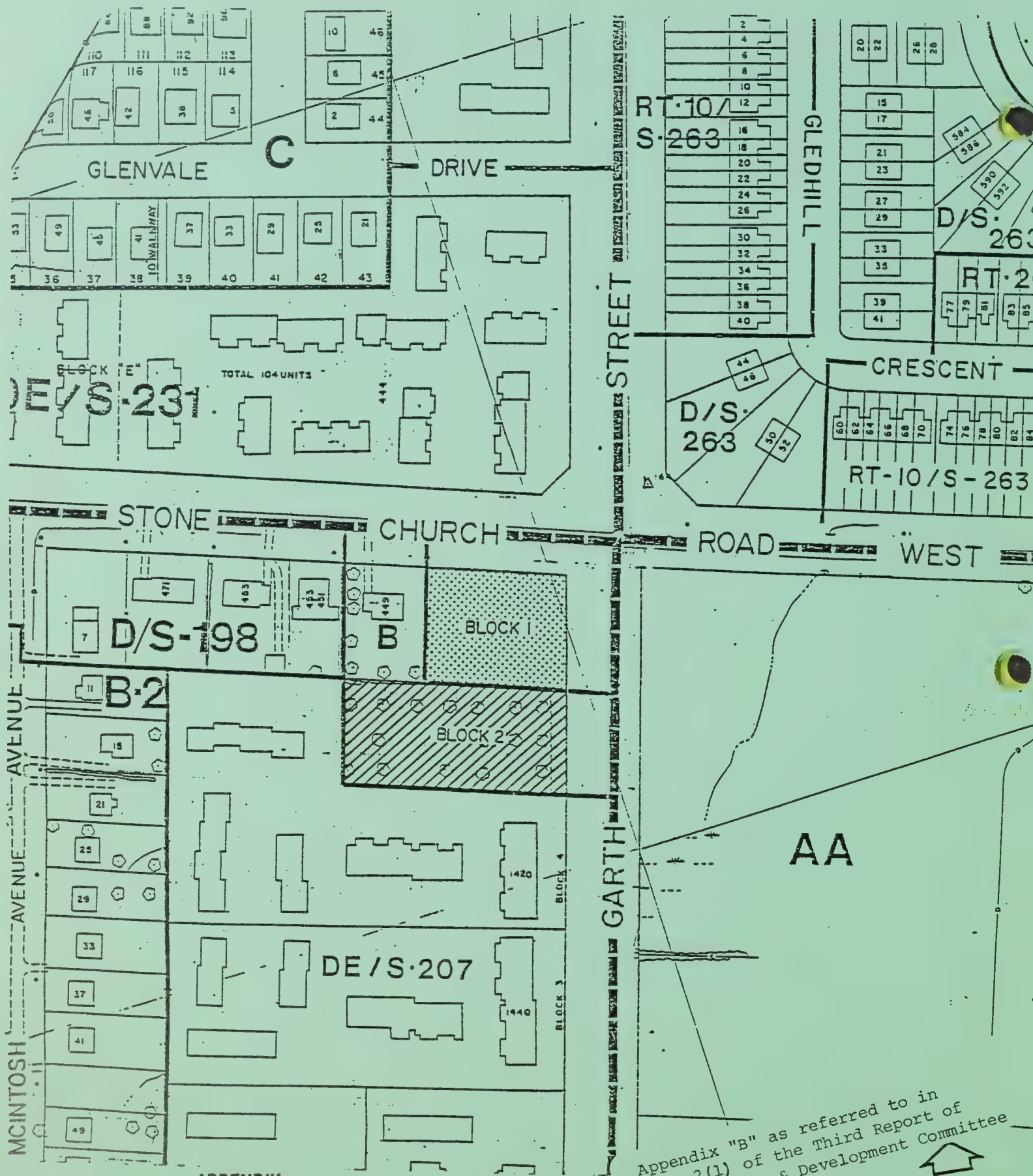
John D. Thompson, Secretary,  
Planning and Development Committee

JDT:tb









# APPENDIX A

## LEGEND



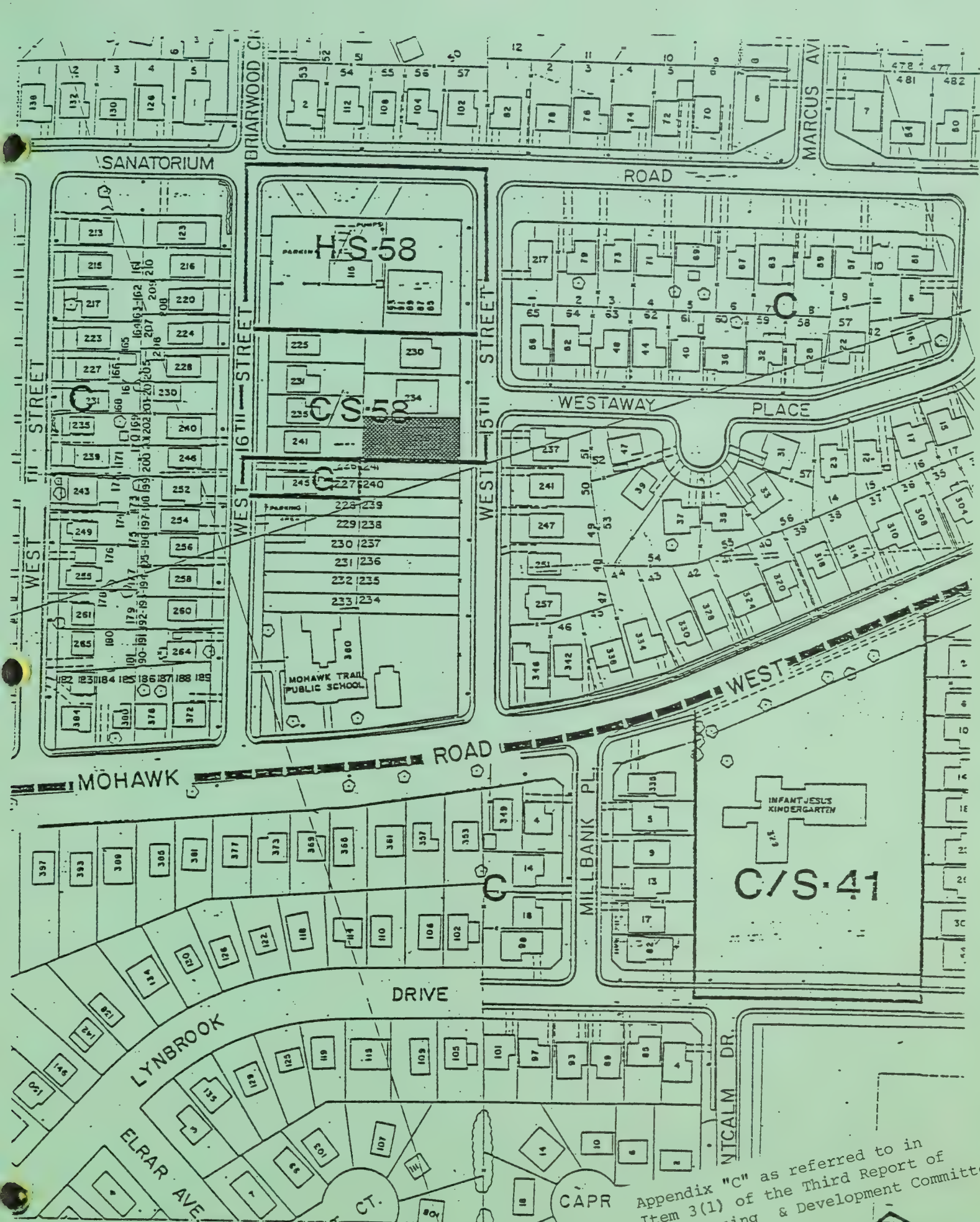
Change in Zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District



Change in Zoning from "B" (Suburban Agriculture and Residential, etc.) District to "RT-20" (Townhouse-Maisonette) District

Appendix "B" as referred to in Item 2(1) of the Third Report of the Planning & Development Committee

Z485-90



SITE OF THE APPLICATION

Appendix "C" as referred to in  
Item 3(1) of the Third Report of  
the Planning & Development Committee

APPENDIX A



2485-38

C





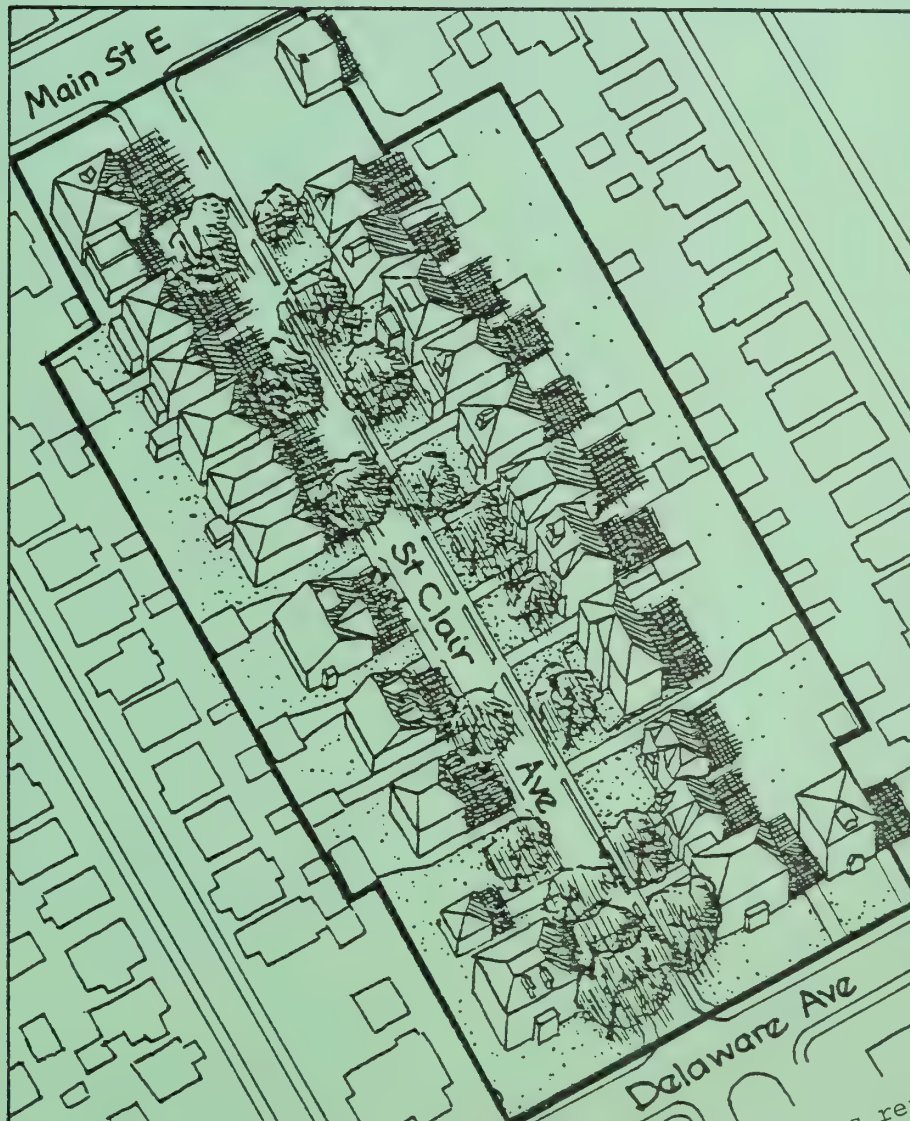
SITE OF THE APPLICATION

Appendix "D" as referred to in  
Item 4 of the Third Report of  
the Planning & Development Committee



# POLICIES

## THE ST. CLAIR HERITAGE DISTRICT PLAN



Prepared by the Planning and Development  
in conjunction with the St. Clair

D-17

Appendix "E" as referred to in  
Item 9(b) of the Third Report  
of the Planning and Development Committee  
of the City's Association  
Dec. 85



NATURE OF THE PLAN

At the outset of the study there were a series of assumptions made about the nature of the plan. These were elaborated upon as the study progressed, particularly after the analysis of the questionnaires, and the various meetings held with residents. The following statements reflect the nature of the plan.

- \* The plan will elaborate on the policies of the City of Hamilton Official Plan;
- \* The plan will promote the preservation of the existing residential buildings;
- \* The plan will provide guidelines and controls for the possible future design modifications/additions/replacement infill and demolition to/of the existing residential buildings;
- \* The plan will provide guidelines and controls for the possible future design modifications of the existing landscape;
- \* The plan will promote the possibility for future design modifications to the existing commercial properties, in order that they may further enhance the historical/architectural quality of the individual properties and of the streetscape;
- \* The plan will encourage the active participation of the St. Clair Homeowners Association, LACAC, and the Planning and Development Department, in the implementation of the District Plan;
- \* The plan will be adopted by City Council. Any changes to the plan will be made by City Council.

## 10.2 PURPOSE OF THE PLAN

The purpose of the St. Clair Heritage District Plan is to ensure the future conservation of St. Clair Avenue. The goals of the plan are to ensure a high quality of living environment by:

- \* conserving the historical/architectural ambience of the area;
- \* conserving the fine landscape character;
- \* conserving the single family nature of the street;
- \* strengthening the community ties among owners and residents in the area.

### 10.3 THE PLAN

The District Plan is organized in 4 sections. Each section has objectives, policies and a set of actions. Objectives are the general aims of the plan and elaborate on the stated goals. Policies are the detailed guidelines for the evolution of the area. Actions are the implementing part of the plan which indicate how the policies are to be achieved.

The four sections:

1. Administration
2. Land Use
3. Streetscape
4. Building

#### 10.3.1 Administration

##### Objective

- \* To provide a process for neighbourhood, technical and political input into the future development of the St. Clair Heritage District.

##### Policies

- \* Council will create and appoint members to the St. Clair Heritage District Advisory Committee (SCHDAC) to be responsible for public input and advice on the implementation of the St. Clair Heritage District Plan.
- \* SCHDAC will comprise members from LACAC and from the St. Clair Homeowners Association or other owners and tenants in the St. Clair Heritage District. A majority of members will be from the district.
- \* SCHDAC will review permits for alterations, demolitions and new buildings applied for under the Ontario Heritage Act. Permit applications will be submitted to the Building Department and forwarded to the Planning and Development Department. In turn the Planning and Development Department will take the application to SCHDAC along with the technical advice.
- \* SCHDAC will be responsible for monitoring, reviewing policies and for promotion of heritage aspects of the street.
- \* SCHDAC will report to LACAC. LACAC will advise Council on Heritage Conservation District matters through the Planning and Development Committee. Council will make a decision which can be appealed to the Ontario Municipal Board.

### Actions

- \* Once the Heritage District is established, Council will make owners aware of the designation and inform them of applications for permits under the Ontario Heritage Act.
- \* Council will establish SCHDAC with the advice of LACAC and the Planning and Development Department once the Heritage District is designated.
- \* The policies of the plan will be followed by those involved in reviewing permit applications and funding proposals. Council will follow the policies when making decisions on permit applications. Appeals to the Ontario Municipal Board may be made in accordance with the Ontario Heritage Act.

## 10.3.2 Streetscape Policies

### Objectives

- \* Maintain the existing scale of structures in the St. Clair Heritage District;
- \* Conserve the existing natural environment (i.e., trees, shrubs, bushes, and front yard landscaping); and
- \* Encourage the future development of streetscape detailing, so as to further enhance the ambience, delineation, and historical character of the District.

### Policies

- \* General setbacks and heights of the residential structures will be maintained.
- \* Property maintenance of yards, sidewalks, and other public areas within the District will be of a high standard.
- \* Additional policies will be considered concerning the location and preservation of trees and other natural features which enhance the spatial continuity of the streetscape and the visual amenity of the building stock.
- \* Parking will be maintained on one side of the street only.
- \* After the district has been designated the need for any additional streetscaping will be considered.



### Actions

- \* The property standards by-law will be rigidly enforced by the Building Department.
- \* SCHDAC will be responsible for considering any additional streetscaping, review of funding and for making any appropriate recommendations to LACAC. LACAC will report through Planning and Development Committee to Council.

## 10.3.3 Land Use Policies

### Objectives

- \* Maintain the current residential nature of the street.
- \* Maintain the current commercial nature of the Main Street frontage ensuring the commercial uses are compatible with adjacent residential uses.

### Policies

- \* Residential uses should reflect the original use of the buildings. No new conversions to apartments or collective uses will be allowed.
- \* Frontyard parking will not be allowed in the residential area.
- \* Commercial uses on Main Street will be limited to compatible uses with adjoining residential uses. Noisy commercial uses should not be allowed and mitigating measures including buffering and layout should be provided for where commercial abuts residential use.
- \* Commercial signs should be oriented to Main Street only.

### Actions

- \* The zoning bylaw will be amended to allow single family and ancillary uses only for the residential area.
- \* SCHDAC will review the zoning by-law to consider amendments to restrict incompatible commercial uses on the commercial sites. Site Plan Control will be applied.

- \* SCHDAC will report any infringements made in the District relating to the City of Hamilton Zoning By-law.

#### 10.3.4

#### Building

##### Objective

To ensure that building development, including new buildings, additions, alterations, replacements and demolitions, protect or enhance the historical and architectural character of the area.

##### Policies

- \* There will be a presumption towards keeping each building except 716 Main Street East.
- \* 716 Main Street East should be encouraged to be redeveloped in a way more in keeping with the remainder of the District remembering that 716 Main Street East and 712 Main Street East together form the gateway to the District.
- \* Demolitions should not be allowed unless buildings are dangerous and cannot be saved without undue cost or if they do not contribute to the streetscape.
- \* When considering demolitions in other cases the contribution of the replacement building to the architectural and historic character of the area and the timing of the replacement will be taken into account.
- \* Building development shall reflect the character of the street and complement the surrounding buildings in terms of scale, materials and architectural styles.
- \* Front yard setbacks for building development shall be similar to neighbouring building.
- \* Building heights and eaves heights shall be similar to surrounding buildings.
- \* An air of spaciousness surrounding each building shall be maintained.
- \* Restoration of the original features of the building will be encouraged.

- \* Proportions and designs of windows and doors of the original structures will be maintained for additions alterations and replacements.
- \* Authentic materials such as brick, stone and wood, to reflect the texture of the area, will be encouraged. Original or similar materials and colours will be used.
- \* Unauthentic materials such as plastics and aluminum will be discouraged.
- \* Designs, materials and workmanship of building development will be of a high quality.
- \* Brick cleaning will be carried out by methods which do not damage brickwork.
- \* Unsightly extensions such as fire escapes or air conditioning units should be located at the rear of buildings, out of view from the street if at all possible. Hardship to the owner will be considered as a factor.
- \* Cost will be a consideration in determining the appropriateness of building development although emphasis will be placed on architectural and historic character.
- \* Only building development visible from the street will be controlled. Internal alterations will not be controlled.

#### Actions

- \* The permit process under the Ontario Heritage Act described under 'Administration' will be used to achieve policies.

#### 10.4 IMPLEMENTATION OF THE PLAN

The plan has been reviewed by the St. Clair Homeowners Association and other interested parties, and endorsed by LACAC. The next step is for the Planning and Development Committee to consider the matter at a public meeting and make a recommendation to Council. Council then adopt the St. Clair Heritage District Plan and have the power to amend the plan after appropriate public participation including input from SCHDAC and LACAC.

Council proceeds to pass a by-law designating the heritage district and submit it to the Ontario Municipal Board. The Background Report and plan form the basis for district designation. The Board then hold a hearing and decide the merits of the district. If the by-law is approved the permit system for demolitions, exterior alterations and new building come into effect. Council will then appoint the St. Clair Heritage District Advisory Committee.

In order for the St. Clair Heritage District to work properly, there must be a continued effort in the day to day activities of the Association. Residents must feel free to get involved and stay involved, in order for the goals of the plan to be achieved.

SCHDAC and the Planning and Development Department will work closely on all matters relating to the heritage district. SCHDAC will be responsible for keeping residents in touch with their Association. Residents should actively work in the preservation of their district.



### Terms of Reference for LACAC

The responsibilities of the Hamilton LACAC are to advise and assist City Council on all matters relating to Parts IV and V of the Ontario Heritage Act, 1980 and to advise and assist Council on any other matters relating to buildings and areas of architectural and/or historical significance, specifically as follows:

1. To recommend to City Council individual buildings and areas\* of significance for designation under Parts IV and V of the Ontario Heritage Act
2. To advise the City on municipal heritage funding programs
3. To establish and maintain an Inventory of Architecturally and Historically Significant Buildings in Hamilton
4. To establish a research program and objective criteria for the evaluation of buildings
5. To provide advice to the City re: proposed demolition of or inappropriate alterations to worthy heritage properties
6. To provide advice to the City on matters of urban design, neighbourhood planning, and zoning issues where they affect heritage buildings or areas
7. To provide advice on strategies for conserving heritage properties or areas
8. To provide advice to the City in respect to municipal heritage legislation
9. To establish public education programs on the city's heritage
10. To provide a continuing advisory role for the protection, conservation, regulation and enhancement of all aspects of the City's architectural and natural heritage.

\*areas to include historic streetscapes, historic sites, scenic landscapes and open space.





## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Third Report for 1986 and respectfully recommends:

1. (a) That the Hamilton Farmers' Market stallholder's fees as outlined on the attached Schedule "A" be approved, representing a four (4%) per cent increase.
- (b) That the City Solicitor be authorized and directed to prepare an amendment to By-law No. 81-180 "To Regulate the Hamilton Farmers' Market" to reflect this fee increase.

NOTE: This proposed increase in fees will generate approximately \$12,800. for a total revenue of \$332,800. for the year 1986. The fees were last increased in 1985.

2. That permission be granted to the Heart & Stroke Foundation of Ontario, Regional Municipality of Hamilton-Wentworth Branch to:
  - (a) Fly their Heart flag during the month of February.
  - (b) Hang the Heart Fund Banner from the balcony of City Hall for the month of February.
3. That the City purchase a full page ad in the Programme for the 91st Highlander's Games being held in the Copps Coliseum at an estimated cost of \$1,000 (to be charged to City Clerk's Advertising Account No. 0322-0112).
4. That the City purchase a half page ad in the KIN magazine, a magazine featuring messages of support for the Kinsmen at an estimated cost of \$340 (to be charged to City Clerk's Advertising Account No. 0322-0112).
5. That the following tax adjustment as recommended by the Tax Appeal Review Sub-Committee at its meeting held 1986 January 8, be approved:

### APPEAL

Schedule "B"  
Business

AMOUNT			
(1)	(2)	(3)	(4)
Prior		Tax	Total
Year	Year-to-date	Review	Year-to-date
1985	1986	Committee	1986
<u>\$2,063,504.19</u>	<u>NIL</u>	<u>Jan. 8, 1986</u>	<u>\$41,897.77</u>
		\$41,897.77	\$41,897.77



6. That the following tax adjustments as recommended by the Legislation Committee at its meeting held 1986 January 20, be approved:

APPEALS

Schedule "B"  
Business

AMOUNT

(1)	(2)	(3)	(4)
Prior		Legislation	Total
Year	Year-to-date	Committee	Year-to-date
1985	1986	Jan. 20, 1986	1986
<u>\$2,063,504.19</u>	<u>\$41,897.77</u>	<u>\$412,722.04</u>	<u>\$454,619.81</u>

Schedule "C"  
Realty

AMOUNT

(1)	(2)	(3)	(4)
Prior		Legislation	Total
Year	Year-to-date	Committee	Year-to-date
1985	1986	Jan. 20, 1986	1986
<u>\$ 262,474.83</u>	<u>NIL</u>	<u>\$142,676.52</u>	<u>\$142,676.52</u>

7. For the information of the members of City Council, the Legislation Committee reappointed the following citizen members to the French Sub-Committee:

Mr. Hubert Paquin  
Marie Patenaude Barker  
Janine St. Martin  
Ryan M. Paquette  
Anne Gravereaux Grady

8. That leave be granted to introduce the following bill:

Bill E-5     A By-law to amend By-law 81-180, "To Regulate the Hamilton Farmers' Market".

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale  
Secretary  
1986 January 20

Schedule "A"  
(as referred to in Item 1(a)  
of the Third Report of  
Parks and Recreation)

(Section 7)

PART 1 : PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers and Dealers' Fees	
		Per Month	Per Day
* 1 to 8	(Refrigeration Units)	218.00	--
* 12 to 18	(Refrigeration Units)	218.00	--
* 22	(Refrigeration Units)	218.00	--
* 9,10,11	(Refrigeration Units)	182.00	--
* 19,20,21	(Refrigeration Units)	182.00	--
23 to 46	Ramp	127.00	19.00
47 to 62A	North Wall-Main Floor	127.00	19.00
63 to 70	West Wall-Main Floor	127.00	19.00
71 to 95	South Wall - Main Floor & In Ramp	127.00	19.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00 p.m.)	127.00	19.00
101 to 111	East Wall-Main Floor	127.00	19.00
112 to 143	Stands in Middle from East to West ( North Side )	127.00	19.00
144 to 175	Stands in Middle from West to East ( South Side)	127.00	19.00
30A,36A,37A,46A		70.00	9.50
70A,72A		54.00	9.50
92		179.00	19.00
176	Coffee Shop Stand	254.00	--

\*Fee payable only per month.

PART 2 : DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No's</u>	<u>Dealers' Fees Per Annum</u>
1 to 176	\$ 80.00

PART 3 : PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand, when available, immediately adjacent to a stand for which  
an annual fee is paid in advance ..... \$ 6.50 per day.

PART 4: FRIDAY MARKET FEES

8 ft. Refrigeration Unit .....	\$ 15.00 per day
12 ft. Refrigeration Unit .....	\$ 19.00 per day
Regular Stands .....	\$ 10.50 per day
Each Additional Stand .....	\$ 6.50 per day
Coffee Shop .....	\$ 21.00 per day
Daily Users' Fees.....	\$ 19.00 per day







## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its SECOND Report for 1986 and respectfully recommends:

1. (a) That the position of Typist Cashier II in the Building Department be reclassified from Salary Schedule E-3: \$319.46 - \$345.14 per week, to Salary Schedule A-3: \$348.01 - \$395.53 per week.  
  
(b) That Mrs. Genevieve Ligaj, presently receiving \$345.14 per week, be paid at the new rate of \$378.59 per week, effective December 9, 1985.
2. That the position of Box Office Clerk (2), Hamilton Entertainment and Convention Facilities Inc., be classified at the rate of \$299.65; \$311.62; \$322.82 per week. These positions to be posted and filled.
3. That the following re-organization involving the Accounting, Accounts Payable, Payroll and Pension and Employee Benefit Sections of the Treasury Department, be approved:
  - (a) That the present position of Payments Clerk IV, Union Code A-5, in the Accounting Section, be redesignated as Junior Accounting Clerk and reclassified as Union Code A-7. The previous incumbent, Mrs. L. Kaye, be paid retro-active pay calculated at the 4th step of the range, \$478.09 weekly, from January 1, 1985 to December 31, 1985.  
  
Note: Mrs. L. Kaye resigned from this position effective January 1, 1986.
  - (b) That the present position of Urban Renewal Clerk, Union Code A -9, in the Accounting Section, be redesignated as Senior Accounting Clerk II and reclassified as Union Code A-10. The present incumbent, Mr. B. J. Hill, be appointed to this position at the 5th step of the range, \$572.86 weekly, effective January 1, 1985.
  - (c) That the present position of Payments Clerk I, Union Code A-10, in the Accounting Section, be redesignated as Senior Accounting Clerk I and reclassified as Union Code A-11. The present incumbent, Mr. C. G. Keith, be appointed to this position at the 5th step of the range, \$590.90 weekly, effective January 1, 1985.

- (d) That the present position of Accountant III (Finance), Union Code A-12, in the Accounting Section, be redesignated as Account Analyst and reclassified as Non-Union Salary 114 classification. The present incumbent, Mr. L. A. Friday, be appointed to this position at the 1st step of the range, \$27,131.00, effective June 24, 1985. The previous incumbent, Mr. M. B. ChandraShekar, be paid at the 5th step of the range, \$32,355.44, retroactive from January 1, 1985, to May 24, 1985.

Note: Mr. M. B. ChandraShekar was promoted to Supervisor of Payroll on May 27, 1985.

- (e) That the present position of Invoice Checking Clerk II, Union Code E-3, in the Accounts Payable Section, be redesignated as Invoice Checking Clerk, in the same Union Code E-3. The present incumbent, Mrs. T. M. Restivo, be appointed to this position.
- (f) That the present position of Invoice Checking Clerk I, Union Code E-4, in the Accounts Payable Section, be redesignated as Junior Accounts Payable Clerk and reclassified as Union Code A-4.

Note: This position is presently filled by a temporary person.

- (g) That the present position of Payments Clerk II, Union Code A-8, in the Accounts Payable Section, be redesignated as Senior Accounts Payable Clerk. The present incumbent, Miss J. Goodwin, be appointed to this position.
- (h) That the present position of Clerk-Final Payments, Union Code A-10, in Accounts Payable Section, be redesignated as Assistant Supervisor, Accounts Payable Section, and reclassified as Non-Union Salary 114 classification. The present incumbent, Mr. P. G. Bachand, be appointed to this position at the 4th step of the range, \$30,962.88, effective November 4, 1985.
- (i) That the present position of Payroll Clerk, Union Code A-4, in the Payroll Section, be redesignated as Junior Payroll Clerk and reclassified as Union Code A-5. The present incumbent, Mrs. J. Dmetrichuk, be appointed to this position at the 4th step of the range, \$437.22 weekly, effective January 6, 1986.
- (j) That the present position of Payments Clerk II - Payroll, Union Code A-6, in the Payroll Section, be redesignated as Senior Payroll Clerk, at the same salary classification of Union Code A-6. The present incumbent, Mr. J. Danko, be appointed to this position.

- (k) That a new middle management position as Assistant Supervisor of Pensions, in the Pension and Employee Benefits Section, at the Non-Union Salary 113 classification, be created as of February 3, 1986.
  - (l) That a posting be authorized for the new position of Assistant Supervisor of Pensions, effective February 3, 1986.
  - (m) That the two (2) positions known as Payments Clerk III, Union Code, A-6, in the Accounting Section, and one (1) Invoice Checking Clerk II, Union Code E-3, in the Accounts Payable Section, be removed from the Treasury Department staff quota.
4. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to January 13, 1986, as set out on the list attached hereto as Schedule "A".
5. That leave be granted to introduce the following Bill:
- F-1 By-law To Authorize the Transfer of City of Hamilton Employees to The Ontario Municipal Employees Retirement System.

Respectfully submitted,

Alderman M. Kiss, Chairman,  
Personnel Committee.

K. E. Avery, Acting Secretary,  
1986 January 22.



SCHEDULE "A"

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Anthony Aquino	Truck Driver	Public Works	replacement for Mr. A. Pollington - retired	D-7	\$10,827 per hour	Dec. 2/85
Mr. Alfred Asaph	Maintenance Repairman	Trade Centre/Arena	new position as approved	M-14	\$12,875 per hour	Nov. 11/85
Mr. Linas Bieksa	Community Centre Supervisor	Culture & Recreation	replacement for Mr. Dave Kelly - transferred	115B	\$29,168.88 per annum	Nov. 18/85
Mr. Timothy Black	Refrigeration/AC Technician	Trade Centre/Arena	new position as approved	M-17	\$13,990 per hour	Nov. 25/85
Mr. John Brimer	Electrical/Electronic Technician	Trade Centre/Arena	new position as approved	M-17	\$13,990 per hour	Nov. 29/85
Mrs. Diane Burns	Pool Supervisor	Culture & Recreation	replacement for Mrs. Pat Butler - resigned	110B	\$20,346.56 per annum	Jan. 6/86
Ms. Pamela Collier	Taxation Clerk IV	Treasury	replacement for Ms. Rose Calcagni - resigned	E-4	\$350.68 per week	Dec. 2/85

Prepared January 13, 1986

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Ms. Karen Dowhan	Secretary	Convention Centre	replacement for Ms. Diana Nusca - promoted	103	\$15,220.40 per annum	Dec. 16/85
Mr. Larry Fair	Labourer	Public Works	returning to former position	D-5	\$10.706 per hour	Dec. 23/85
Mr. Patrick Fournier	Truck Driver (Litter Containers)	Public Works	correction of personnel records	D-7	\$10.827 per hour	Nov. 18/85
Mrs. Christine Gauthier	Lifeguard I	Culture & Recreation	replacement for Ms. Alison Green - promoted	CH-5	\$328.36 per week	Jan. 6/86
Ms. Alison Green	Program Organizer	Culture & Recreation	replacement for Mr. Gary Makins - promoted	A-7	\$412.21 per week	Nov. 18/85
Mr. Michael Hammond	Program Organizer	Culture & Recreation	replacement for Mr. M. Castiglione - promoted	A-7	\$412.21 per week	Nov. 25/85
Ms. Christine Kelly	Key Punch Operator I	Treasury	replacement for Ms. Liliana DiBiagio - terminated	E-3	\$319.46 per week	Dec. 31/85

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Linda Kisko	Program Organizer	Culture & Recreation	replacement for Mr. Len Bieksa - promoted	A-7	\$412.21 per week	Nov. 18/85
Mr. Peter Kopatch	Assistant Banquet Manager	Convention Centre	replacement for Mr. Jerry Attard - resigned	106	\$26,687.96 per annum	Nov. 25/85
Mr. Richard Kuipers	Draftsman III	Building	replacement for Mrs. Michelle Oprolu - promoted	A-3	\$348.01 per week	Dec. 9/85
Ms. Laurel LaChance	Typist Clerk II	Traffic	replacement for Miss Kimberly Roy - promoted	E-2	\$299.65 per week	Dec. 23/85
Mr. Vincent Ormond	Lifeguard I	Culture & Recreation	replacement for Ms. Diane Burns - promoted	CH-5	\$328.36 per week	Jan. 6/86
Mr. Bruce Picken	Arena Maintenance Man II	Trade Centre/Arena	replacement for Mr. Larry Fair - returned to former position	M-7	\$11.091 per hour	Dec. 21/85
Mr. Allan Plant	Shipper/Receiver -Mail Room	Trade Centre/Arena	new position as approved	M-10	\$12.126 per hour	Nov. 18/85

Prepared January 13, 1986

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON HIRED</u>	<u>SALARY SCHEDULE</u>	<u>RATE</u>	<u>EFFECTIVE DATE</u>
Mrs. Susan Reeder	Legislative Assistant II	City Clerk's	returning to former position (was replacing Mrs. L. Dale - maternity leave)	112	\$25,591.80 per annum	Sept. 2/85
Ms. Lisa Robinson	Accounting Supervisor	H.E.C.F.I.	new position as approved	115	\$30,483.96 per annum	Dec. 9/85
Mr. Rand Roszell	Solicitor I	City Solicitor's	replacement for Mrs. Ann Meema - resigned	119	\$40,460.68 per annum	Dec. 2/85
Mr. Tony Scime	Arena Maintenance Man II	Trade Centre/Arena	replacement for Mr. T. Mroz - returned to former position	M-7	\$11.091 per hour	Dec. 24/85
Mr. Antonio Stravato	Equipment Mechanic I	Central Garage Division of the Department of Public Works	replacement for Mr. R. Zangrando - promoted	D-14	\$11.770 per hour	Dec. 9/85
Mr. Andrew Tapp	Lieutenant	Fire	replacement for Mr. P. Marchese - promoted	C-7	37,032.96 per annum	Dec. 1/85



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mrs. Lynn Zbucki	Receptionist/typist	Trade Centre/Arena	new position as approved	107	\$17,785.04 per annum	Nov. 11/85

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Clifford Booth	Building Inspector	Building	retirement	35 yrs. & 4 1/2 mos.	Jan. 31/86
Ms. Kathryn Bradshaw	Stenographer III	Treasury	resigned	1/2 mo.	Dec. 2/85
Mrs. Dale Brown	Systems Analyst	Treasury	resigned	10 1/2 mos.	Aug. 30/85
Mrs. Nina Chapple	Architectural Historian	Dundurn Castle Division of the Department of Culture & Recreation	transferred to Region	8 mos.	Nov. 30/85
Mr. Terence Cusick	Welder (Ontario Certificate)	Central Garage Division of the Department of Public Works	resigned	1 year	Jan. 3/86
Mrs. June Davis	Purchasing Researcher	Purchasing	retirement	32 yrs. & 9 mos.	Jan. 31/86
Mrs. Louise Kaye	Payments Clerk IV	Treasury	resigned	14 yrs. & 5 1/2 mo.	Dec. 31/85
Mr. William Losier	Maintenance Man I	Property Maintenance Division of the Real Estate Dept.	retirement	33 yrs. & 1/2 mo.	Nov. 29/85

THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. Michael Mathal	Truck Driver	Cemetery Division of the Department of Public Works	retirement	9 yrs. & 8 mos.	Dec. 31/85
Mr. Donald Matson	Lieutenant	Fire	retirement	28 yrs. & 8 mos.	Dec. 30/85
Mr. Robert MacGregor	Caretaker	Property Maintenance Division of the Real Estate Dept.	retirement	11 yrs. & 10 mos.	Dec. 31/85
Mr. John Murphy	District Chief	Fire	retirement	39 yrs. & 7 mos.	Dec. 28/85
Mr. James O'Brien	Firefighter I	Fire	retirement	34 yrs. & 5 1/2 mos.	Dec. 30/85
Mr. Henry Paluveer	Garbage man	Public Works	retirement	30 yrs. & 4 1/2 mos.	Dec. 31/85
Mrs. Doris Prawdzik	Cleaner	Property Maintenance Division of the Real Estate Dept.	retirement	25 yrs. & 2 mos.	Dec. 31/85
Ms. Orel Setterlund	Historical Interpreter	Dundurn Castle Division of the Department of Culture & Recreation	resigned	3 yrs. & 1 mo.	Dec. 8/85

Prepared January 13, 1986

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM PERMANENT SERVICE**

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Ms. May Sevcik	Parking Meter Clerk	Treasury	deceased	29 yrs. & 3 1/2 mos.	Nov. 29/85
Mr. William Shipton	Traffic Serviceman I	Traffic	retirement	15 yrs.	Jan. 31/86
Mr. Clarence Smith	Foreman I (Districts)	Public Works	retirement	27 yrs. & 9 mos.	Dec. 31/85
Mr. Horace Stanley	Machinist	Central Garage Division of the Department of Public Works	retirement	19 yrs. & 7 mos.	Dec. 31/85
Mrs. Ruth Tiefenbach	Office Manager	Culture & Recreation	resigned	6 yrs. & 5 mos.	Dec. 13/85
Mr. Nicholas Zoloty	Garbageman	Public Works	retirement	39 yrs. & 8 mos.	Jan. 3/86
Mr. A. F. Gillespie	Director	Personnel	retirement	29 yrs. & 5 1/2 mos.	Feb. 28/86



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Donald Boyer	Foreman III (Districts) (temporary)	Public Works	replacement for Mr. Ray Hands - off sick	13C	\$24,570.00 per annum	Dec. 23/85
Mr. Ewan Branda	Architectural Student University Co-op (temporary)	City Architect's	temporary additional staff as approved	AS	\$270.00 per week	Dec. 30/85
Mr. Wolfgang Buchackert	Machinist (temporary)	Central Garage Division of the Department of Public Works	replacement for Mr. Victor Sheets - resigned	D-15	\$12.305 per hour	Dec. 9/85
Mr. Luigi Cialini	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. F. Lalonde - transferred	D-5	\$10.706 per hour	Nov. 15/85
Ms. Wendy Crevier	Traffic Engineering Student (temporary)	Traffic	temporary additional staff as approved	SC 35	\$275.34 per week	Jan. 6/86
Mr. George Faulkner	Arena Maintenance Man II (temporary)	Trade Centre/Arena	replacement for Mr. F. DiGiambattista - returned to former position	M-7	\$11.091	Dec. 24/85 per hour

Prepared January 13, 1986

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. David Feather	Accounting Student MBA Co-Op Program (temporary)	Treasury	replacement for Mr. Mike Bozzo - resigned	MBA	\$387.07 per week	Jan. 2/86
Ms. Janet Haye	Typist Clerk II (temporary)	City Clerk's	temporary additional staff as approved	E-2	\$299.65 per week	Dec. 16/85
Mr. Milorad Josic	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. R. Melanson - transferred	D-5	\$10.706 per hour	Nov. 18/85
Mr. Duarte Pavao	Program Organizer (temporary)	Culture & Recreation	replacement for Ms. Marianne Urbanic - maternity leave	A-7	\$412.21 per week	Nov. 18/85
Mr. Duarte Pavao	Program Organizer (temporary)	Culture & Recreation	replacement for Mrs. Wendy Lockhart - maternity leave	A-7	\$412.21 per week	Dec. 16/85
Mr. W. Pollington	Maintenance (temporary)	Parking Authority	temporary additional staff	B-4	\$372.31 per week	Dec. 18/85
Mr. Martin Rivest	Student At Law (temporary)	City Solicitor's	replacement for Mr. Roger Rickwood - resigned	SL	\$244.35 per week	Jan. 6/86

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Victor Sheets	Machinist (temporary)	Central Garage Division of the Department of Public Works	replacement for Mr. H. Stanley - off sick	D-15	\$12.305 per hour	Dec. 2/85
Mr. M. Van Sydenburgh	Architectural Student (temporary)	City Architect's	temporary additional staff as approved	TAS	\$280.00 per week	Dec. 2/85
Mr. Christopher Turner	Equipment Mechanic II (temporary)	Central Garage Division of the Department of Public Works	replacement for Mr. A. Stravato - promoted	D-11	\$11.114 per hour	Dec. 16/85
Mr. Terry Verge	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. John McShane - transferred	D-5	\$10.706 per hour	Nov. 18/85

**THE CORPORATION OF THE CITY OF HAMILTON  
TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Ms. Ann Gillespie	Research Assistant (temporary)	Dundurn Castle Division of the Department of Culture & Recreation	transferred to Region	1 1/2 mos.	Nov. 30/85
Mr. W. Pollington	Maintenance (temporary)	Parking Authority	lay off	3 mos.	Dec. 6/85
Mr. Victor Sheets	Machinist (temporary)	Central Garage Division of the Department of Public Works	resigned	3 hrs.	Dec. 2/85









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FOURTH** Report for 1986 and respectfully recommends:

1. That the additional funds for Engineering and Consulting Services in the amount of \$2 800 for the Birks Clock be financed from the Reserve for Capital Projects, Account No. 0280-27.
2. (a) That an order be placed with C.M.J.H.L. Services - Mississauga, Ontario, for 3 000 Tee Shirts bearing the Copps Coliseum logo at \$6.50 each, for a total of \$19 500 plus 7% Sales Tax.

The above has been processed through the Emergency Procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following: the Mayor, an appropriate Committee Chairman, the C.A.O. and that any action taken under this provision is to be reported to the next regular meeting of City Council."

- 
- (b) Approval of the awarding of the following orders:

### NETHERCOTT CHEVROLET, Hamilton, Ontario

Supply and delivery of Compact Motor Vehicles, in accordance with specifications by the Director of Purchasing and Vendor's Tender as follows:

One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1305	1 040.00
Price less trade-in	<u>7 271.00</u>
Ontario Sales Tax 7%	508.97
Licence Transfer	5.00
Total Price	<u>\$7 784.97</u>

One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1306	1 040.00
Price less trade-in	<u>7 271.00</u>
Ontario Sales Tax 7%	508.97
Licence Transfer	5.00
Total Price	<u>\$7 784.97</u>



One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1308	950.00
Price less trade-in	<u>7 361.00</u>
Ontario Sales Tax 7%	515.27
Licence Transfer	5.00
Total Price	<u>\$7 881.27</u>

One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1309	1 040.00
Price less trade-in	<u>7 271.00</u>
Ontario Sales Tax 7%	508.97
Licence Transfer	5.00
Total Price	<u>\$7 784.97</u>

One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1314	1 040.00
Price less trade-in	<u>7 271.00</u>
Ontario Sales Tax 7%	508.97
Licence Transfer	5.00
Total Price	<u>\$7 784.97</u>

One (1) Chevrolet Cavalier	\$8 311.00
Trade-in allowance on Vehicle #1415	1 040.00
Price less trade-in	<u>7 271.00</u>
Ontario Sales Tax 7%	508.97
Licence Transfer	5.00
Total Price	<u>\$7 784.97</u>

NOTE: Lowest of 8 acceptable tenders.

JOHNSTON MOTOR SALES, Hamilton, Ontario

Supply and delivery of Compact Motor Vehicles, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender as follows:

One (1) Plymouth Reliant	\$8 355.00
Trade-in allowance on Vehicle #1342	1 510.00
Price less trade-in	<u>6 845.00</u>
Ontario Sales Tax 7%	479.15
Licence Transfer	5.00
Total Price	<u>\$7 329.15</u>

One (1) Plymouth Reliant	\$8 355.00
Trade-in allowance on Vehicle #1343	1 510.00
Price less trade-in	<u>6 845.00</u>
Ontario Sales Tax 7%	479.15
Licence Transfer	5.00
Total Price	<u>\$7 329.15</u>

One (1) Plymouth Reliant	\$8 355.00
Trade-in allowance on Vehicle #1344	1 360.00
Price less trade-in	6 995.00
Ontario Sales Tax 7%	489.65
Licence Transfer	5.00
Total Price	\$7 489.65

NOTE: Lowest of 8 acceptable tenders.  
Funding provided in Depreciation Account 0208-01.

- (c) That a purchase order be issued to Buntin-Gillies, Hamilton for 6 715 000 sheets of paper in various sizes and colours for various Civic Departments, including the printing operations in the City Clerk's Department, for a total of \$40 895.32, plus 11% and 7% where applicable.

NOTE: Lowest of 2 acceptable tenders. Funding is from various accounts.

- (d) That a purchase order be issued to A.A.F. Canada, Hamilton, to supply various sizes and rolls of filters and filter media for 1986, 1987, and 1988 at the following unit prices.

<u>Group I</u>	<u>1986</u>	<u>1987</u>	<u>1988</u>
2'0" x 65'0" Filters	40.49	42.92	45.50
3'0" x 65'0" Filters	55.68	59.02	62.56
4'0" x 65'0" Filters	70.86	75.11	79.11
6'0" x 65'0" Filters	102.50	108.65	115.17

Group II

24" x 24" x 36" Filters	29.42	31.19	33.06
24" x 12" x 36" Filters	20.24	21.45	22.74

Group III

24" x 24" x 4" Filters	9.63	10.21	10.82
24" x 12" x 4" Filters	7.70	8.16	8.65

Group IV

24" x 24" x 15" Filters	13.04	13.82	14.65
20" x 20" x 15" Filters	10.43	11.06	11.72

NOTE: Lowest of four acceptable tenders received. Funding is from various accounts.

3. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, duly executed on November 29, 1985, by the Purchaser, Stelco Inc., and scheduled for closing sixty (60) days after the demolition and clearance of all buildings located on the subject property be approved and completed.

NOTE: This Offer to Purchase is conditional upon the following terms:

- (1) The City of Hamilton having received title to the subject lands; and
- (2) The existing "K" - Heavy Industrial Zoning category will be in place at the time of the completion of this transaction; and
- (3) The City of Hamilton will at its own expense provide a paved parking lot with similar improvements as the existing Stelco parking lot has and being described as Part II in the Option to Purchase agreement dated November 29, 1985 between the City and Stelco Inc; and
- (4) The aforementioned parking lot will be serviceable by sewer, water and electricity from Wellington on Birge Street.

The purchase price is \$1.00.

The property is composed of part of Lot 6, on J.H. Cameron Survey, Registered Plan 254, said parcel will have a frontage on the eastern limit of Wellington Street North of 120 feet (more or less) by a depth of 108 feet (more or less) along the southern limit of Birge Street and containing an area of 12 965.45 square feet (more or less).

4. (a) That an Option to Purchase the lands of Stelco Inc. duly executed on November 29, 1985, by the Vendor Stelco Inc., and scheduled for closing on March 22, 1986 be approved and completed; and
- (b) That the Director of Real Estate be authorized to proceed with the demolition of all structures located at 334 Wellington Street North upon receiving possession of the subject lands; and
- (c) That the Director of Real Estate be authorized to proceed, upon the completion of the aforementioned demolition, to construct a parking lot on the lands being reconveyed to Stelco located at the south-east corner of Wellington Street North and Birge Street; and

- (d) That the City approach the Region and the Province of Ontario to seek funds to off-set the cost of this property purchase.

The costs associated with the first three recommendations will be charged to account number 0280-02 - Reserve for Property Purchases.

**NOTE:** This Option to Purchase is conditional upon the following:

It is understood and agreed by the Vendor and Purchaser:

1. (a) That a portion of the overall lands being purchased herein includes land used for parking purposes by Stelco Inc. having a frontage along the eastern limit of Wellington Street North of 135.646 feet by a depth of 95.583 feet and containing an area of 12 965.45 square feet (more or less).
- (b) Upon completion of this transaction, pending the proposed demolition by the City of all buildings on the subject property, the City of Hamilton agrees to lease the said parking lot to Stelco Inc. for the sum of \$1.00 plus taxes (Realty and Business) until such time as a parcel of land of approximately equivalent size located at the south-east corner of Wellington Street North and Birge Street is cleared of buildings and conveyed to Stelco Inc. in accordance with an Offer to Purchase dated for acceptance on or before February 5, 1986.
2. That the Vendor will continue to be responsible for the buildings until the closing date and will ensure that precautions are taken to prevent damage from freezing.
3. That upon the completion of this transaction, the Purchaser will assume all liability for the tunnel structure located under Wellington Street North which connects the subject buildings and those owned by Stelco at 293 Wellington Street North with the understanding that Stelco Inc. will either disconnect (blank) at its costs or assume all the costs thereof for the disconnection of all services and utilities located in the tunnel.
4. (a) That in the event the future purchaser at the time of the sale of 293 Wellington Street North by Stelco Inc. does not require the parking lot at the south-east corner of Wellington Street North and Birge Street, Stelco Inc. will grant the City a first right of refusal to purchase the said parking lot.



- (b) In addition, Stelco Inc. agrees to place a covenant in the deed of any sale of the south-east corner of Wellington Street North and Birge Street that if the purchaser at any future time deems the aforementioned parking lot surplus to their needs, then the purchaser agrees to grant the City a first right of refusal to purchase the said parking lot.
5. That the Vendor hereby agrees that all storage tanks containing liquids, liquid wastes, chemicals or gases shall be emptied of their contents prior to the date of closing of this transaction. If at some future date it is determined that the contents were not removed, then the City shall take steps to remove same and Stelco Inc. will be responsible for the payment of all costs whatsoever associated with their removal.
6. The Vendor and Purchaser hereby agree that the covenants, restrictions and agreements in paragraph 1(b), 3, 4 and 5 shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor and Purchaser, its successors and assigns.

The purchase price is \$450 001 and any adjustment to the compensation payable by the City of Hamilton to Stelco Inc. for the 3.61 acres of land shall be made on the basis of applying a rate of \$2.8616 per square foot to the exact area of the land being purchased as determined by a survey to be prepared by the City.

The property is composed of two parcels namely:

Part I

This parcel is composed of all of Lots 5 and 6, parts of 7 and 8, on Registered Plan J.H. Cameron Survey No. 254, said irregular shaped property having a frontage on the eastern limit of Wellington Street North of 363.583 feet (more or less) by a depth of 665.896 feet (more or less) along Birge Street and having an area of 3.61 acres (more or less) as shown in heavy outline on Schedule "B" and bearing the municipal address of 334 Wellington Street North.

Part II

This parcel is composed of part of Lot 4, on Registered Plan J.H. Cameron Survey No. 254, said parcel of vacant land having a frontage on the eastern limit of Wellington Street North of 135.646 feet (more or less) by a depth of 95.583 feet (more or less) and containing an area of 12 965.45 square feet (more or less) and forming part of municipal address 334 Wellington Street North.

5. (a) That the claims of Mary Dawiskiba and her daughter Diane Kantowski be settled in the amount of \$3 000 inclusive of interest and costs.

**NOTE:** By County Court writ issued October 16, 1984, Mary Dawiskiba commenced action against the City for damages due to injuries she suffered when she fell on a City sidewalk in front of 191 Parkdale Avenue South on October 4, 1984.

- (b) That the claims of Roy Bhimsingh against the City be settled in the amount of \$1 000 inclusive of interest and costs.

**NOTE:** By County Court writ issued June 8, 1978, Roy Bhimsingh commenced action against the City for property damage and personal injuries he suffered in a motor vehicle accident on March 16, 1978 when his vehicle went out of control due to a large patch of ice on Stonechurch Road.

6. That the prelevy residential and non-residential mill rates for 1986 be established at figures slightly below 50% of the 1985 respective mill rates as follows:

- (a) i. That a real property tax prelevy mill rate of 121 mills be established for 1986 to be billed in two installments of 60.5 mills each, payable February 28th and March 27, 1986. (This prelevy rate represents 49.653% of the 1985 residential mill rate.)

- ii. That a business tax prelevy mill rate of 143 mills be established for 1986 to be billed in one installment, payable February 28, 1986. (This prelevy rate represents 49.878% of the 1985 non-residential mill rate.)

- (b) That a non-metered water and sewer surcharge prelevy be established on behalf of the Regional Municipality of Hamilton-Wentworth, based on approximately 50% of the 1985 charge, to be billed in two equal installments, payable February 28th and March 27, 1986.

7. That Spicer MacGillivray be awarded the contract of the auditing service for the City of Hamilton, including its local boards, commission (Hamilton Hydro Electric System) and five other affiliated organizations, based on the proposal submitted by them, at a firm quotation for 1986 and 1987 in the total amount of \$91 400 and \$94 300 respectively, for a period of six years starting in 1986.

NOTE: The selection of the contract for the audit service was made from nine submissions received on November 8, 1985. The proposed firm, Spicer MacGillivray, is the current City auditor. Section 8 of the 16th Report of the Finance Committee, adopted by Council September 24, 1985, authorized to call for a tender of audit service every six-year period starting 1986.

8. (a) That the total estimated cost of \$200 000 for the architectural, mechanical and electrical modifications/requirements necessary for the upgrading of the Victor K. Copps Trade Centre/Arena Lounge be financed from the unutilized portion of the original gross cost and debenturing authority under O.M.B. Order No. E830018 dated May 8, 1983 for the Trade Centre/Arena and be charged to Account No. 0408-U3303; and
- (b) That none of these funds be expended until a legal opinion is available, and it is known who will be operating the lounge.
9. (a) That the Secretary of the Grants Sub-Committee be authorized to advance funds, in the amount of \$35 000 towards the 1986 Grant request by the Hamilton East Kiwanis Boys and Girls Club, prior to the final approval of Grants and the City of Hamilton Estimates.
- (b) That this amount be charged to Account No. 0374-0154.
10. (a) That the Mayor and the Treasurer be authorized to borrow monies to pay off bank overdrafts for 1986, as and when they arise for current expenditures, to a maximum of \$3 000 000; and
- (b) That the Treasurer be authorized and directed to prepare a by-law to give effect to this resolution; and
- (c) That the Mayor and the Treasurer be authorized to sign in advance the necessary promissory notes, to be held with the Canadian Imperial Bank of Commerce, Hamilton Branch, and be discounted only as required.

NOTE: During the course of conducting the City business, it is necessary from time to time to overdraw bank accounts to pay for approved amounts at the City funds were fully invested at that time. It is also more economical to borrow monies to pay off these accounts rather than to cash short term investments at a lower rate of return.



11. (a) That the Mayor and the Treasurer be authorized to borrow monies, should the necessity arise, for expenditures on Capital Projects to a maximum of \$10 000 000, pending the issue of debentures for such projects; and

(b) That the Treasurer be authorized and directed to prepare a by-law to give effect to this resolution.

**NOTE:** The maximum amount to be borrowed is limited to \$10 000 000 with the interest not to exceed the prime borrowing rate at the time the loan is made.

12. That leave be granted to introduce the following bills:

(a) G-5 By-law to Authorized the Borrowing of \$3 000 000 to Finance Bank Overdrafts as and When They Arise from Current Expenditures

(b) G-6 By-law to Borrow the Sum of \$10 000 000 to Finance Authorized Capital Projects Pending the Sale of Debentures for Projects Authorized as at December 31, 1985

(c) G-7 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

**RESPECTFULLY SUBMITTED,**

**ALDLERMAN P. O. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE**

R. C. Prowse  
Secretary

1986 January 21





The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 83-73

To Appoint:

PERSONS TO VARIOUS BOARDS AND COMMITTEES

WHEREAS By-law No. 83-73, passed on the 22nd day of February, 1983, as amended by By-laws Nos. 83-103, 83-105, 83-181, 84-106 and 85-61 appointed persons to various Boards and Committees;

AND WHEREAS The City of Hamilton Act, 1972, as amended, respecting Hamilton Place, and The City of Hamilton Act 1980, as amended, respecting The Hamilton Place Convention Centre, have been repealed by The City of Hamilton Act, 1985, S.O. 1985, Chapter Pr23;

AND WHEREAS The Public Libraries Act, R.S.O. 1980, Chapter 414, under which appointments were made by the City to the Public Library Board, has been repealed and replaced by The Public Libraries Act, 1984, S.O. 1984, Chapter 57;

AND WHEREAS it is intended to make appointments as hereinafter set out for the terms mentioned;

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The first and second preambles of By-law No. 83-73 are struck out and the following is substituted therefor:

WHEREAS subsection 9(1) of The City of Hamilton Act, 1985, S.O. 1985, Chapter Pr23, provides for the appointment of thirteen members to the Board of Directors of The Hamilton Entertainment and Convention Facilities Inc., of whom four shall be members of council and nine shall not be members of council;

2. The fifth preamble to the said By-law is struck out and the following substituted therefor:

AND WHEREAS subsection 9(2) of The Public Libraries Act, S.O. 1984, Chapter 57 provides that "A public library board for a municipality whose population is 100,000 or more shall be composed of at least nine and not more than fifteen members appointed by the municipal council";

3. Subsections 1(1) and 1(2) of the said By-law are repealed and the following substituted therefor:

1. (1) The following members of council are appointed to the Board of Directors of The Hamilton Entertainment and Convention Facilities Inc. for a term ending November 30, 1988:

1. Alderman R. Wheeler.
2. Alderman T. Murray
3. Alderman B. Hinkley.
4. Alderman J. Gallagher.

(2) The following persons who are not members of council are appointed to The Hamilton Entertainment and Convention Facilities Inc. for the terms set out:

1. For a term of one year:
  - (i)
  - (ii)
  - (iii)
2. For a term of two years:
  - (i)
  - (ii)
  - (iii)
3. For a term of three years, expiring on November 30, 1988:
  - (i)
  - (ii)
  - (iii)

2. The words "for a term ending November 30, 1985" are repealed wherever they appear in the said By-law and the following is substituted therefor:

"for a term ending November 30, 1988"

Committee of  
Adjustment

3. Subsection 3 of the said By-law is amended by striking out paragraphs 1 and 2 and substituting the following therefor:

1. Alderman H. Merling.
- 2.
3. Fred Lombardo.
4. Francis Rocchi.
5. Maurice Skofac.
6. S. W. Woods.
7. Ms. Carol Young.

Property  
Standards  
Committee

4. Subsection 4 of the said By-law is amended by striking out paragraph 1 and substituting the following therefor:

1. Robert Thayer.

Library Board

5. Subsection 5 of the said By-law is amended by striking out paragraph 1 and substituting the following therefor:

1. Alderman J. Smith.
2. Alderman D. Christopherson.

3. Dominic Agostino.
4. Jacqueline Isbester.
5. Alan Meiklejohn.
6. Peter A. Rogers

Canadian  
Football  
Hall of  
Fame

6. Subsection 6 of the said By-law is amended by striking out "1983" at the end of the third line and inserting in lieu thereof "1985" and by striking out paragraphs 1, 2 and 3 and substituting the following therefor:

1. Alderman R. Wheeler.
2. Alderman T. Murray.
3. Alderman J. Gallagher.
4. A. M. Connelly.
5. Tony DePaulo, Jr.
6. Gabe Macaluso.
7. Wm. Tidball.

L.A.C.A.C.

7. Subsection 7 of the said By-law is amended by striking out paragraphs 1, 2, 3, 4, 5, 6, 7, and 8 and substituting the following therefor:

1. Alderman R. Wheeler.
2. Alderman Wm. McCulloch.
3. Howard Mark.
4. Diane Dent.
5. J. Brian Henley.
6. M. Jane Rigby.
7. Gil Simmons.
8. John H. Nolan.
9. Robert Brough.

Parking  
Authority

8. Subsection 8 of the said By-law is amended by striking out paragraphs 1, 2 and 3 and substituting the following therefor:

1. Alderman V. J. Agro.
2. Alderman J. Gallagher.
3. Tom Adamson.

H.M.R.F.

9. Subsection 9 of the said By-law is amended by striking out "1984" at the end of the third line and inserting in lieu thereof "1985" and by striking out paragraphs 1, 2 and 3 and substituting the following therefor:

1. Alderman M. Kiss.
2. Alderman P. Valeriano.
3. Mayor R. M. Morrow.

Licensing  
Committee

10. Subsection 10 of the said By-law is repealed and the following substituted therefor:

10. The following persons are appointed to the City of Hamilton Licensing Committee for a term ending November 30, 1988:

1. Alderman S. Collins.
2. Alderman P. Valeriano.
3. Alderman B. Hinkley.
4. Arthur J. Child.
5. Albert J. McGurk.



Court of  
Revision

11. Subsection 11 of the said By-law is amended by striking out paragraphs 1, 2 and 3 and substituting the following therefor:

1. Mayor R. M. Morrow.
2. Alderman Wm. McCulloch.
3. Alderman B. Hinkley.
4. Alderman S. Collins.
5. Alderman P. Cowell.

Hess Village  
Pedestrian  
Mall

12. Subsection 12 of the said By-law is amended by striking out paragraphs 1, 2, 3 and 4 and substituting the following therefor:

1. Bob Daniels.
2. John Kiriakopoulos.
3. Gerry Laarakker.
4. Doug McLean.
5. Janet Snelgrove.

13. (1) The thirteenth preamble of the said By-law is repealed.

(2) Subsection 13 of the said By-law is repealed.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 1 R.N.C. 2(j,k,o,q,w,x,z), December 10  
(1986) 2 R.N.C. 1(a,b,c,d,f,g,i,j,k), January 14

The Council of the Corporation of the City of Hamilton enacts as follows:

1. Schedule 24 (Parking Meter Locations) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Section 3 (One Hour Limit) the following item, namely:-

and by adding thereto the following items, namely:-

East 25th	West	from a point 50 feet south of Concession to a point 84 feet south of Concession".
-----------	------	-----------------------------------------------------------------------------------------

"Crockett                      South                      East 35th to 82 ft. west".

3. Schedule 26 (No Parking Areas) is hereby amended:-

(a) by deleting from Section A (No Parking Anytime) the following items, namely:-

Leeming                      West                      Barton to 250' south".

and by adding thereto the following items, namely:-

"Crockett King	South North	East 35th to 58 feet west commencing at a point 148 feet west of Paisley to a point 31 feet westerly therefrom
Leeming	West	Barton to 187 feet south".

(b) by adding to Section I (No Parking 8:00 a.m. - 6:00 p.m.) the following item, namely:-

"Leeming East commencing at a point 30 feet south of Barton to a point 30 feet southerly therefrom".

3. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Ray West commencing at a point 120 feet south of Florence to a point 24 feet southerly therefrom Anytime".

PASSED this                      day of                      , A.D. 1986.

Mayor

J-5

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 2 (Lower Speed on Certain Highways) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding thereto the following items, namely:-

"Limeridge	a point 1400 feet west	a point 100 feet east	40".
	of West 5th	of Elgar	

2. Schedule 10 (Stops at Intersections) is hereby amended by adding thereto the following items, namely:-

"Valanna	Northbound	Guildwood
Milano	Northbound	Guildwood
Firenze	Northbound	Guildwood
Goldfinch	Northbound	Bobolink".

and by deleting therefrom the following item, namely:-

"Bobolink	Eastbound and Westbound	Goldfinch".
-----------	-------------------------	-------------

3. Schedule 29 (No Stopping Areas) is hereby amended:-

(a) by adding to Section A (No Stopping Anytime) the following item, namely:-

"Crockett	South	East 36th to 52 feet west
East 25th	West	Concession to 50 feet south".

and by deleting therefrom the following item, namely:-

"East 16th	East	commencing at a point 100 feet south of
		Concession to a point 43 feet southerly
		therefrom".

(b) by adding to Section F (No Stopping, 8:00 a.m. - 5:00 p.m., Monday to Friday) the following item, namely:

"East 16th	East	commencing at a point 124 feet south of
		Concession to a point 56 feet southerly
		therefrom".

4. Schedule 30 (Commercial Loading Zones) is hereby amended by adding thereto the following item, namely:-

"Locke	West	58 feet	Chatham	Anytime".
--------	------	---------	---------	-----------

PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 733 UPPER PARADISE ROAD

WHEREAS it is intended to change the zoning of the land hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor



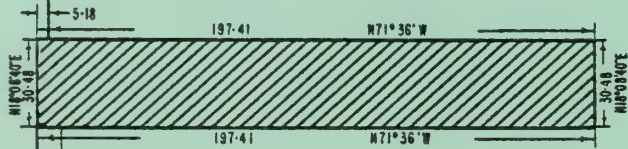
# LOT 20, CON. 7

GOSFORD DR.

ROAD

PARADISE

UPPER



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

## CITY OF HAMILTON

### SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

### Legend



CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO "C" (URBAN PROTECTED, RESIDENTIAL,  
ETC.) DISTRICT.

North



Scale  
1:2000

Date  
NOV. 12, 85

Reference File No.  
ZA85-81

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT THE NORTH-WEST CORNER OF BARTON STREET EAST  
AND BROCKLEY DRIVE

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "JJ" (Restricted Light Industrial) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 16A(1) of By-law No. 6593, the following additional

(i) COMMERCIAL USES shall not be prohibited:

1. Appliance, Television, Radio and Stereo Store.
2. Paint, glass and wall-paper store.
3. Offices of Chartered Accountant.
4. Dentists, doctors and lawyers' offices.
5. Insurance and real estate agency.
6. Bank.
7. Restaurant, including drive-ins.
8. Take-out food services accessory to restaurant.
9. Caterers.
10. Floor covering store.

11. Drapery Store.
12. Hardware Store.
13. Dry cleaners distributors and/or agents for dry cleaners.
14. Auto parts store (new).
15. Sporting goods store.
16. Appliance, television, radio and stereo repair shop.
17. Brewers warehouse.
18. Delicatessen.
19. Health laboratories.
20. Bakery, including retail sales.
21. Pharmacy.
22. Optician.
23. Photographer Studio.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-944".

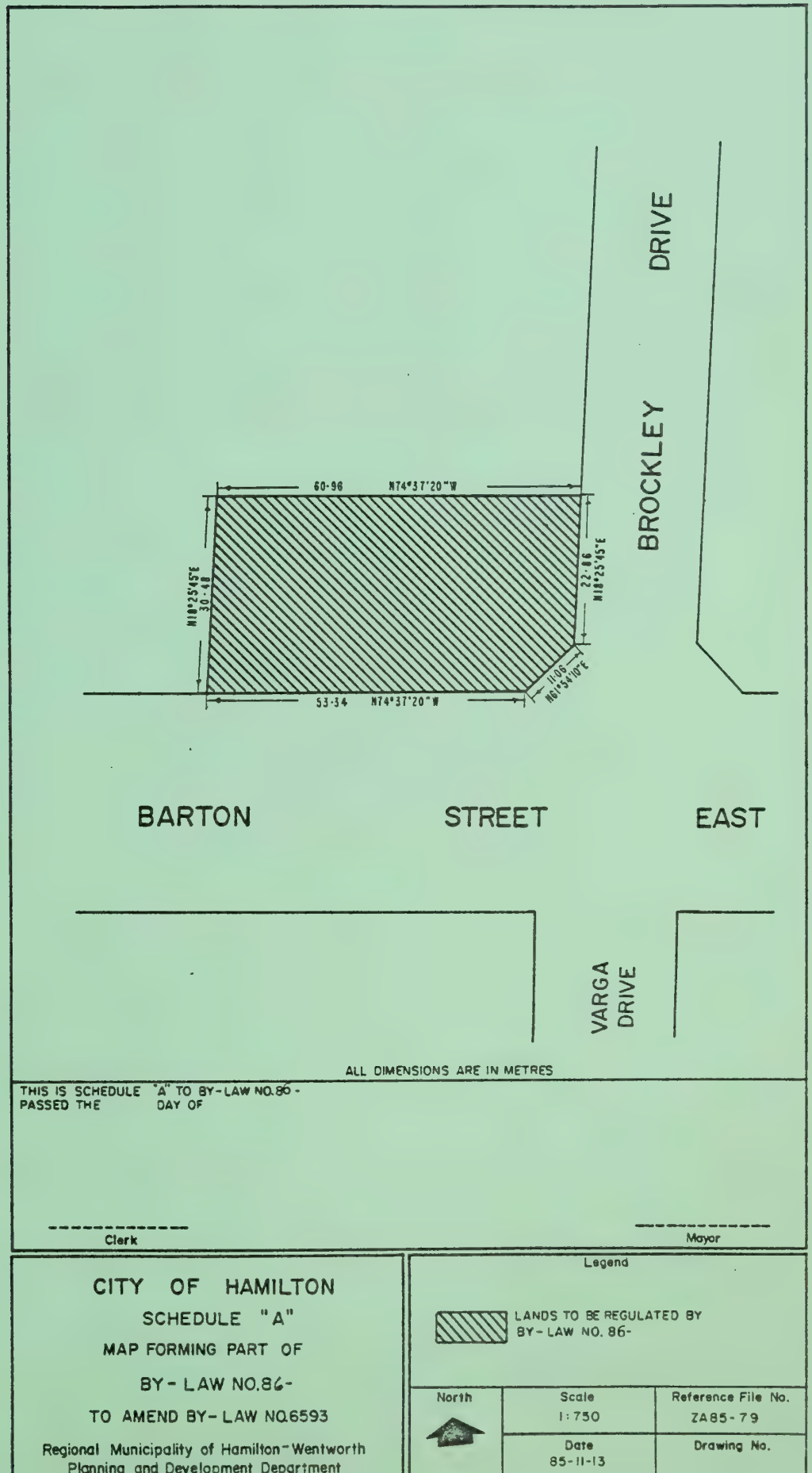
4. Sheet No. E-123 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-944".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor





The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

Site Plan Control

Respecting:

LAND LOCATED AT THE NORTH-WEST CORNER OF BARTON STREET EAST  
AND BROCKLEY DRIVE

WHEREAS By-law No. 79-275, passed on the 25th day of September, 1979, under section 35a of The Planning Act, as re-enacted by The Planning Amendment Act, 1979, S.O. 1979, Chapter 59, section 1, (now section 40 of The Planning Act, R.S.O. 1980, Chapter 379), established site plan control in various parts of the City of Hamilton as of November 1, 1979;

AND WHEREAS it is desirable to amend By-law No. 79-275 to establish site plan control on the land herein-after referred to.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 79-275 is amended by adding the following thereto:

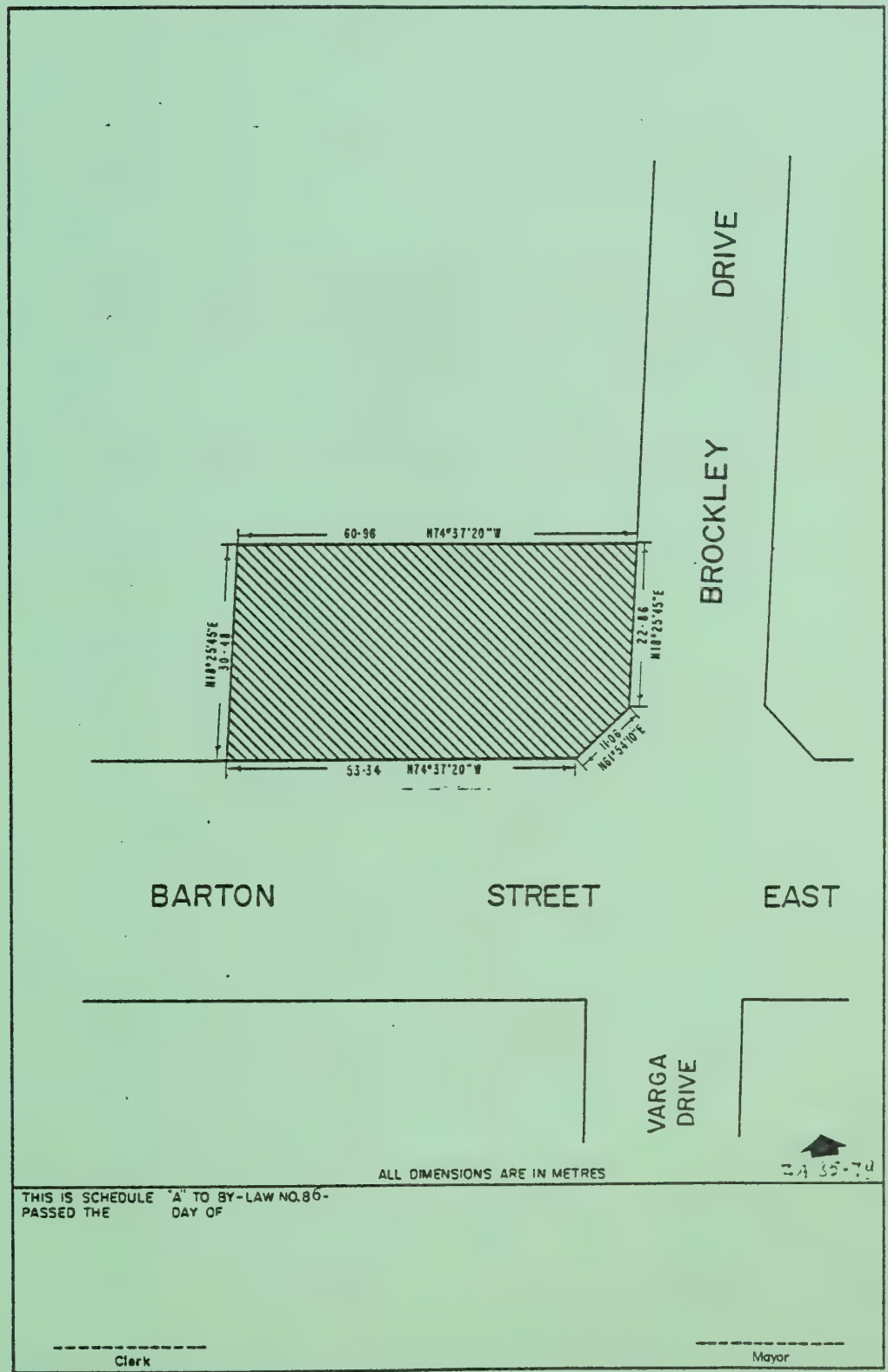
90. Land located at the north-west corner of Barton Street East and Brockley Drive, shown on Appendix 90 hereto annexed and forming part of this by-law.

2. Schedule "A" is annexed hereto and forms part of this by-law and By-law No. 79-275, as Appendix 90.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor



# LEGEND



Lands designated under this by-law as an area of Site Plan Control pursuant to Section 40 of The Planning Act.

Appendix 90 to By-law No. 79-275.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 1543 and 1549 RYMAL ROAD EAST

WHEREAS it is intended to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "M-12" and "M-14" (Prestige Industrial) districts provisions applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirements that,

- (a) notwithstanding clauses 17D(1)(b) and 17F(1)(b) of By-law No. 6593, as amended by subsection 4(3) of By-law No. 85-89, an Ancillary Retail Sales Area not exceeding 25% of the gross floor area of the building shall not be prohibited for the following,

(i) COMMERCIAL USES:

<u>Identification Number</u>	<u>Commercial Use</u>
5621	Hardware: Wholesale
5622	Plumbing, Heating and Air Conditioning Equipment and Supplies: Wholesale
5631	Lumber, Plywood and Millwork: Wholesale
5632	Paint, Glass and Wallpaper: Wholesale
5639	Other Building Materials: Wholesale

- (b) notwithstanding paragraph 2 of clause 17F(2)(h) of By-law No. 6593, every side yard or rear yard that is used for outside storage of any material or equipment shall be completely,

- (i) enclosed by a chain link fence not less than 3.0 m. in height; and
- (ii) screened by a planting strip having a minimum width of 1.2 m. along the side and rear lot lines adjacent to the outside storage area;
- (c) where the outside storage area is used exclusively for the storage of building supplies including sand, gravel, concrete blocks, bricks, lumber and equipment and the building supplies stored do not exceed 4.0 m. in height, notwithstanding paragraph 4 of clause 17F(2)(h) of By-law No. 6593, the total area that may be used for the storage of the building supplies shall not exceed 55% of the lot area;
- (d) clause 18(3)(iv) of By-law No. 6593 shall not apply to the outside storage area referred to in clause 1(c), above;
- (e) clause 17F(2)(i) of By-law No. 6593 shall not apply.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-12" and "M-14" Districts provisions, subject to the special requirements referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-943".

4. Sheets Nos. E-69D and E-69E of the District Maps are amended by marking the lands referred to in section 1 of this by-law, "S-943".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

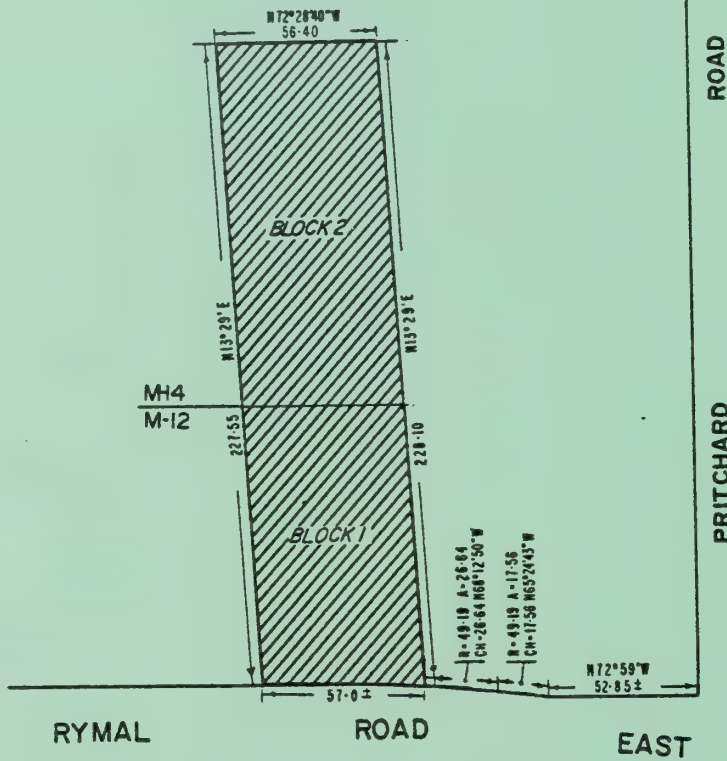
City Clerk

Mayor

(1985) 1 R.P.D.C. 2(1), December 10  
Ferrell Builders Supply Limited, Owner  
ZA-85-78



LOT 1, CON. 8



LOT 16, CON. 1

ALL DIMENSION ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

Clerk

Mayor

CITY OF HAMILTON  
SCHEDULE "A"  
MAP FORMING PART OF  
BY-LAW NO.86-  
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



BLOCKS 1 & 2  
LANDS TO BE REGULATED BY  
BY-LAW NO.86-



Scale  
1:2000

Reference File No.  
ZA85-78

Date  
85-11-13

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Market By-law No. 81-180

Respecting:

**FEES**

**WHEREAS** By-law No. 81-180, passed on the 23rd day of June, 1981, provides in Schedule "B" thereof for the establishment of fees for the use of the market;

**AND WHEREAS** it is desirable to revise the fees set out in Schedule "B".

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "B" to By-law No. 81-180, as re-enacted by section 1 of By-law No. 81-267 and amended by section 2 of By-law No. 82-34, and re-enacted by section 1 of By-law No. 83-024 and section 1 of By-law No. 84-278, is deleted and Schedule "B" hereto annexed is substituted in lieu thereof.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

SCHEDULE "B"

(Section 7)

PART 1 : PRODUCERS' AND DEALERS' FEES

Stand Number	Location	Amount of Producers and Dealers' Fees	
		Per Month	Per Day
* 1 to 8	(Refrigeration Units)	218.00	--
* 12 to 18	(Refrigeration Units)	218.00	--
* 22	(Refrigeration Units)	218.00	--
* 9,10,11	(Refrigeration Units)	182.00	--
* 19,20,21	(Refrigeration Units)	182.00	--
23 to 46	Ramp	127.00	19.00
47 to 62A	North Wall-Main Floor	127.00	19.00
63 to 70	West Wall-Main Floor	127.00	19.00
71 to 95	South Wall - Main Floor & In Ramp	127.00	19.00
96 to 100	Loading Docks (from 7:30 a.m. to 4:00 p.m.)	127.00	19.00
101 to 111	East Wall-Main Floor	127.00	19.00
112 to 143	Stands in Middle from East to West ( North Side )	127.00	19.00
144 to 175	Stands in Middle from West to East ( South Side )	127.00	19.00
30A,36A,37A,46A		70.00	9.50
70A,72A		54.00	9.50
92		179.00	19.00
176	Coffee Shop Stand	254.00	--

\*Fee payable only per month.

PART 2 : DEALERS' FEES PAYABLE IN ADDITION TO FEES PAYABLE UNDER PART 1

<u>Stand No's</u>	<u>Dealers' Fees Per Annum</u>
1 to 176	\$ 80.00

PART 3 : PRODUCERS' AND DEALERS' FEES FOR ADJACENT STANDS

Fee for one stand, when available, immediately adjacent to a stand for which  
an annual fee is paid in advance ..... \$ 6.50 per day.

PART 4: FRIDAY MARKET FEES

8 ft. Refrigeration Unit .....	\$ 15.00 per day
12 ft. Refrigeration Unit .....	\$ 19.00 per day
Regular Stands .....	\$ 10.50 per day
Each Additional Stand .....	\$ 6.50 per day
Coffee Shop .....	\$ 21.00 per day
Daily Users' Fees.....	\$ 19.00 per day



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

**THE TRANSFER OF CITY OF HAMILTON EMPLOYEES TO  
THE ONTARIO MUNICIPAL EMPLOYEES RETIREMENT SYSTEM**

WHEREAS subsection 24(1e) and subsection 24(1f) of The Regional Municipality of Hamilton-Wentworth Act, R.S.O. 1980, Chapter 437, as amended by section 1 of The Regional Municipality of Hamilton-Wentworth Amendment Act, 1985, S.O. 1985, Chapter 10, provides as follows:

(1e) The council of the City of Hamilton by by-law may provide for the transfer to the Ontario Municipal Employees Retirement System of such of its employees or such groups of such employees as may be identified in the by-law and who are members of the retirement plan established by By-law No. 7970 of the City of Hamilton.

(1f) A by-law passed under subsection (1d) or (1e) may provide that a transfer of employees authorized by the relevant subsection shall be deemed to have come into force on the 1st day of January, 1985.

AND WHEREAS certain employees or groups of employees who are members of the Hamilton Municipal Retirement Fund established by By-law No. 7970, have been transferred to the Ontario Municipal Employees Retirement System under By-law No. 86-40, passed on the 10th day of December, 1985;

AND WHEREAS it is intended that additional employees be transferred from the Hamilton Municipal Retirement Fund to the Ontario Municipal Employees Retirement System.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 86-40 is amended by adding thereto the names of the following employees:

T. Bradley	M. Ropcean
W. Cottrell	K. Rouff
A. Grieve	A. Schimmel
P. Kuppe	D. Vyce
R. Nutley	

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 2 R.P.C. 10(a), February 26  
The Regional Municipality of Hamilton-  
Wentworth Amendment Act, 1985

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize the Borrowing of \$3,000,000.00 to  
Finance Bank Overdrafts as and when  
They Arise from Current Expenditures

Whereas the Council of The Corporation of the City of Hamilton (hereinafter called the "Municipality") deems it necessary to borrow the sum of \$3,000,000.00 or lesser amount to pay for temporary bank overdrafts as and when they arise in relation to the current expenditures of the Municipality for the year;

And Whereas the total amount of the estimated revenues of the Municipality as set forth in the preliminary estimates adopted for the year 1986 is \$130,000,000.00.

And Whereas the total of amounts heretofore borrowed for the purposes mentioned in Subsection (1) of Section 189 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended, which have not been repaid is \$3,000,000.00.

Therefore the Council of The Corporation of the City of Hamilton hereby enacts as follows:

1. The Mayor and the Treasurer are hereby authorized on behalf of the Municipality to borrow from time to time by way of promissory note from the CANADIAN IMPERIAL BANK OF COMMERCE a sum or sums not exceeding the aggregate \$3,000,000.00 to pay off temporary bank overdrafts for the current expenditures of the Municipality for the year, including the amounts required for the purposes mentioned in Subsection (1) of Section 189 of The Municipal Act, and to give on behalf of the Municipality to the Bank a promissory note or notes sealed with the Corporate Seal and signed by the Mayor and Treasurer for the monies so borrowed, with interest at a such rate as may be agreed upon from time to time with the Bank.
2. All sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank for any or all of the purposes mentioned in the said Section 189, shall, with interest thereon, be a charge upon the whole of the revenues of the Municipality for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the monies hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.

PASSED this

day of

A.D. 1986

\_\_\_\_\_  
CITY CLERK

\_\_\_\_\_  
MAYOR

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO.

To Borrow the Sum of \$10,000,000.00 to Finance Authorized  
Capital Projects Pending the Sale of Debentures for  
Projects Authorized as at December 31, 1985.

WHEREAS it is provided by Section 190 of The Municipal Act (Chapter  
302, R.S.O., 1980) that the Council may borrow monies pending the issue and  
sale of debentures.

AND WHEREAS application has been made and approval given by the  
Ontario Municipal Board to the construction of the projects attached to this  
By-law and marked Schedule "A";

AND WHEREAS it may be necessary to borrow the sum of Ten Million  
Dollars (\$10,000,000.00) which is the amount the Council of The Corporation  
deems necessary to meet expenditures on the projects as set out in the  
attached Schedule "A" pending the issue and sale of the debentures to meet  
the cost of the projects concerned.

THEREFORE the Council of The Corporation of the City of Hamilton  
enacts as follows:

1. The Mayor and Treasurer be and they are hereby authorized to  
borrow, as required, by way of promissory notes, sums not to exceed  
in the aggregate the sum of Ten Million Dollars (\$10,000,000.00) to  
meet expenditures for projects as listed on the attached Schedule  
"A" pending the issue and sale of the debentures therefor.
2. The Mayor and Treasurer be and they are hereby authorized and  
directed to sign a promissory note or notes and to affix the seal of  
Corporation to each promissory note for such sum or sums as are  
required and which shall not exceed in the aggregate the sum of Ten  
Million Dollars (\$10,000,000.00). Such notes to bear interest at  
such rate or rates as may be determined by the Mayor and Treasurer,  
provided that the rates of interest do not exceed the prime  
borrowing rate at the time the loan is made.

PASSED this                      day                      of A.D.

City Clerk.

Mayor.

SCHEDULE "A" TO BY-LAW NO.

To Borrow the Sum of \$10,000,000.00 to finance authorized  
Capital Projects prior to sale of related Debentures as  
supported by the following authorized, undebentured  
projects, as at December 31, 1985.

SUMMARY

Municipal General	8,796,000.00
Services	1,868,100.00
	<u>10,664,100.00</u>
	=====

City of Hamilton  
Treasury

SCHEDULE "A"

Construction By-Law Number (1)	Original O.M.B. Number (2)	Department and Project (3)	Original Debiture Amount (3)	Debitures Issued To Date (4)	Undebentured Remainder of Authorization (5)
<u>Municipal General</u>					
82-24	E81695	<u>Protection to Persons and Property</u> Fire Station - East Mountain - Stone Church Road	730,000		730,000
		<u>Transportation Services</u> <u>Parking Authority</u> Victor K. Copps Trade Centre/Arena Parking Facilities - Additional Costs	590,000		590,000
		<u>Environmental Services</u> Additional Alterations to Yard Building Ferguson Avenue North District Yard #2 Addition/Alterations to Yard Building Brampton Street District Yard #3 Replacement of Wentworth Street Steps - Lower Section Total Environmental Services	125,000 293,000 230,000		648,000
		<u>Reception and Culture Services</u> <u>Department of Culture and Recreation</u> <u>Parkland Acquisition Programme</u> Capital Grant - McMaster University - Resurfacing Track Replacement of Ice Making System - Inch Park Arena Total Department of Culture and Recreation	500,000 100,000 666,000 1,266,000		
		<u>Parks Division</u> Waterfront Parks Development - Study Phase Mohawk Sports Park (Stage 5) Total Parks Division	150,000 467,000 617,000		
85-52 85-155	E840962 B34627	<u>Victor K. Copps Trade Centre/Arena</u> Victor K. Copps Trade Centre/Arena	15,662,000	10,692,000	4,970,000
83-180	E830018				



City of Hamilton  
Treasury

SCHEDULE "A"

Construction By-Law Number (1)	Original O.M.B. Number (2)	Department and Project (3)	Original Debiture Amount (3)	Debentures Issued To Date (4)	Undebentured Remainder of Authorization (5)
85-100	E830507	<u>Municipal General - Cont</u>  <u>Planning and Development</u> <u>Community Development Department</u> Downtown Action Plan - Gore Park Area & Extension Downtown Action Plan - Phase II Downtown Action Plan - Phase III A Total Planning Development	3,469,000 1,328,000 <u>329,000</u>	3,268,000	<u>1,858,000</u> 8,796,000 =====
		Total Municipal General			

1986 January 10  
BLH/pjk

City of Hamilton  
Treasury

SCHEDULE "A"

MUNICIPAL SERVICES

<u>Construction By-law Number</u> (1)	<u>Ontario Municipal Board Number</u> (2)	<u>Sidewalks Curbs and Alleyways</u> (3)	<u>Roadways</u> (4)	<u>Amount Authorized Not Debentured</u> (5)
81-209	E81407		397,000	397,000
82-211	E820956		497,600	497,600
83-320	E830964	10,000	245,000	255,000
84-196	E840665	102,500		102,500
84-265	E840883	23,500		23,500
85-40	E841163	43,500	62,000	105,500
85-125	E850029	31,000		31,000
85-191	E850141	46,500		46,500
85-222	E851153		270,000	270,000
85-223	E851152	48,000		48,000
85-192	E841162	50,500	41,000	91,500
		<u>355,500</u>	<u>1,512,600.</u>	<u>1,868,100</u>

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 28th DAY OF JANUARY A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 198

CITY CLERK

MAYOR

E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

URBAN/MUNICIPAL

CAY ON HBL A05  
A31  
1986

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

# THE CORPORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

FEB 10 1986

## MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

Tuesday, 1986 February 11  
7:30 o'clock p.m.  
Council Chambers, City Hall

#### A G E N D A

1. Prayer - Reverend Martin K. Brown  
Westmount Baptist Church
2. Minutes of the Meetings held 1986 January 28 and  
1986 February 4th,
3. Reports of Standing Committees - attached:
  - (A) Executive Committee
  - (B) Transport and Environment Committee
  - (C) Parks and Recreation Committee
  - (D) Planning and Development Committee
  - (E) Legislation Committee
  - (G) Finance Committee
4. Notice of Motion from previous meeting - Alderman T. Murray
5. Notices of Motion for next meeting
6. First reading of the Bills
7. Second reading of the Bills - Committee of the Whole
8. Third reading of the Bills
9. Question period
10. Adjournment.





## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its **FIFTH** Report for 1986 and respectfully recommends:

1. (a) That permission be granted to The Image Group, Hamilton, Ontario to use the name "Hamilton" for promotional purposes in a manner which enhances the City's image, and;
- (b) That the Corporation of the City of Hamilton acknowledges the efforts of The Image Group to develop local image format (Schedule "A") as an example of the private sector's efforts to promote this great area,
- (c) That the Corporation of the City of Hamilton acknowledges the efforts of The Image Group to develop the multiple image format (Schedule "B") as an example of the private sector's efforts to promote this great area, and;
- (d) That the above provisions do not grant The Image Group exclusivity or any other special considerations which may be construed as Council's formal endorsement of the said images, and;
- (e) That permission be granted, at the pleasure of Council, to The Image Group, Hamilton, Ontario, to use the name "Hamilton" for promotional purposes on the following condition:

The Corporation of the City of Hamilton is not and shall not be directly or indirectly involved in the business or any operations of The Image Group, Hamilton, Ontario, its assignees, successors in title, licencees or other persons and that the City assumes no liability and disclaims all responsibility and liability in respect of any service, merchandise or representation or mistake by reason of or in relation to the use by The Image Group, its assignees, successors in title, licencees or other persons, of two graphics shown on Schedules "A" and "B" hereto annexed.

**NOTE:** For the information of the members of City Council, this matter was referred to in Section 1 of the Third Report of the Executive Committee which was referred back to the Executive Committee by City Council at its meeting on January 28, 1986.

2. (a) That the offer to sell agreement executed by the City of Hamilton on the 21st day of January, 1986 with respect to the sale of the former Central Library property and adjacent parking lot to the Province of Ontario, be amended to reflect that in addition to Unified Family Court uses, other Judicial purposes may be undertaken within the premises; and,
- (b) That sub-sections 1 and 3 of Section 9 of the Second Report of the Executive Committee, adopted by City Council on January 14, 1986, be deleted and replaced with the following to reflect this change:
  - (1) "The property being used by the Province for United Family Court or other Judicial purposes."
  - (2) "The Province agreeing that if the property ceases to be used for United Family Court or other Judicial purposes, it will first be offered for sale back to the City of Hamilton for the sum of \$1."

**NOTE:** The previous resolution provided for the property to be used solely for United Family Court purposes or return to the City for the sum of \$1.

3. (a) That an increase in Allowance "R" (Services to Concessions) for the Trade Centre/Arena Project, from \$100,000 to \$500,000 be approved and that the Finance Committee be requested to recommend the method of financing.
- (b) That Pigott Construction Ltd., be authorized to proceed with the remaining work in the concessions and to employ Ainsworth Electric as mechanical sub-trade.
- (c) That Parkin Partnership be instructed to examine the detailed quotations to determine whether any further reductions can be made.

**NOTE:** Previously forwarded to the members of City Council, were copies of a report dated February 4, 1986 from Mr. D.C. Freeman, City Architect, to the Executive Committee, setting forth details relative to this matter.

4. (a) (i) That the FCM Conference Committee be authorized to commit and approve expenditures relative to the 1986 FCM Conference up to a maximum amount of \$150,000, in advance of the formal approval of the City's 1986 Budget Estimates.
- (ii) That the FCM Conference Committee be authorized to commit and approve expenditures in excess of \$150,000 only upon confirmation of revenue to offset same.

**NOTE:** For the information of the members of City Council, a provision of \$150,000 is included in the 1986 Estimates for this purpose.

In order that arrangements for this Conference, which will be held June 1 - 5, 1986, can be finalized, the Committee requires authorization to make financial commitments in advance of the budget approval, which is expected to take place in the later part of March.

The Committee further wishes to advise that while the Gross Cost for this Conference will be in excess of the \$150,000 appropriation, anticipated revenues will reduce the City's net cost to an amount somewhat less than the appropriation.

The Gross Cost for the 1985 Conference in Calgary, Alberta was approximately \$196,000 with revenues of \$88,000 resulting in a net cost of \$108,000. The Committee can report at this time, that based on a Preliminary programme, the City's projected net cost will be in line with Calgary's experience.

- (iii) That at such time as the programme and budget for the 1986 FCM Conference are finalized, same be submitted to City Council.
- (b) That the Regional Municipality of Hamilton-Wentworth be requested to underwrite the Transportation Costs associated with the 1986 FCM Conference estimated to be \$47,000.

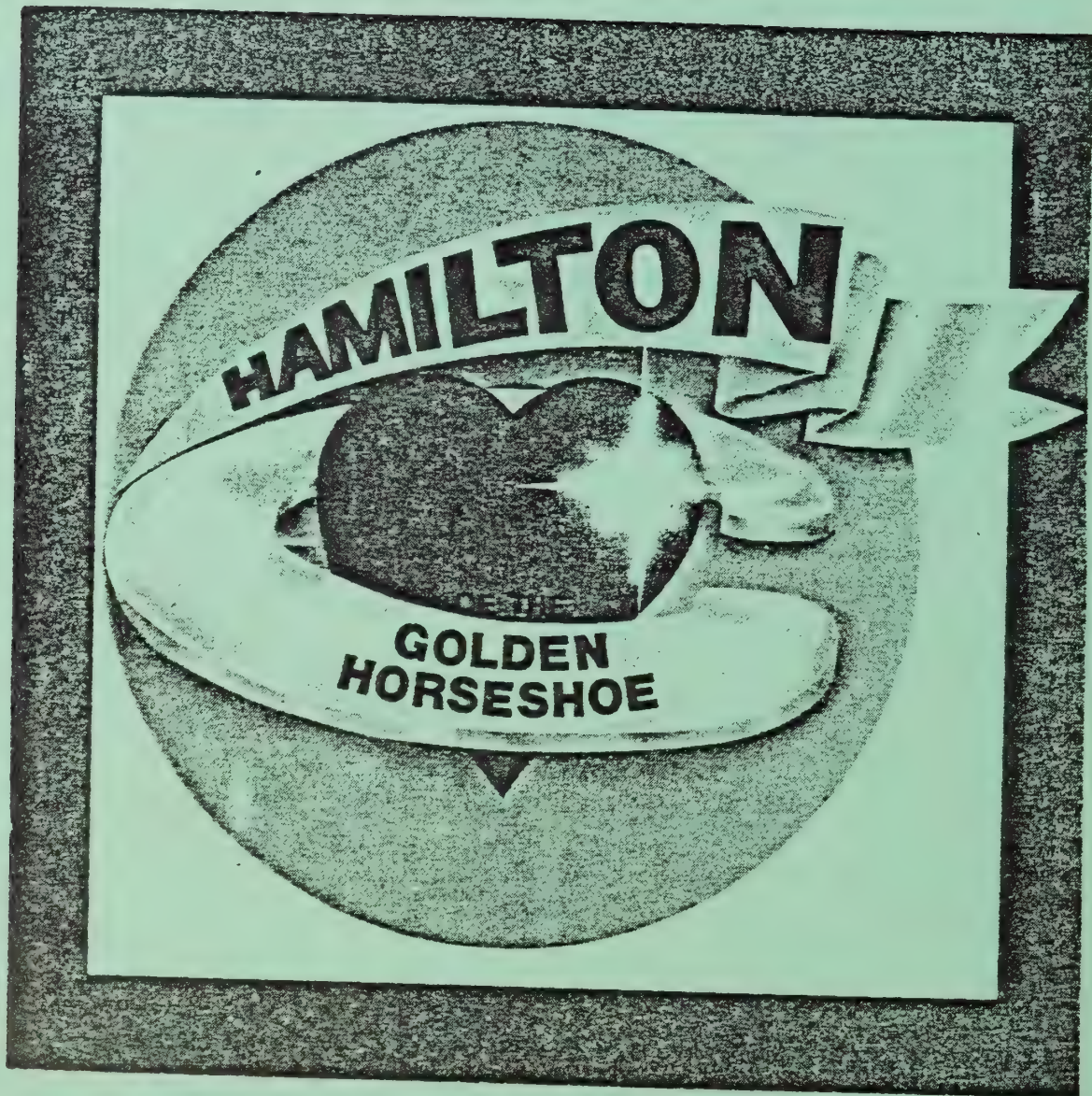
Respectfully submitted,

**Mayor R.M. Morrow, Chairman  
Executive Committee.**

J.J. Schatz, Secretary  
Executive Committee  
1986 February 6



Schedule "A" referred to in

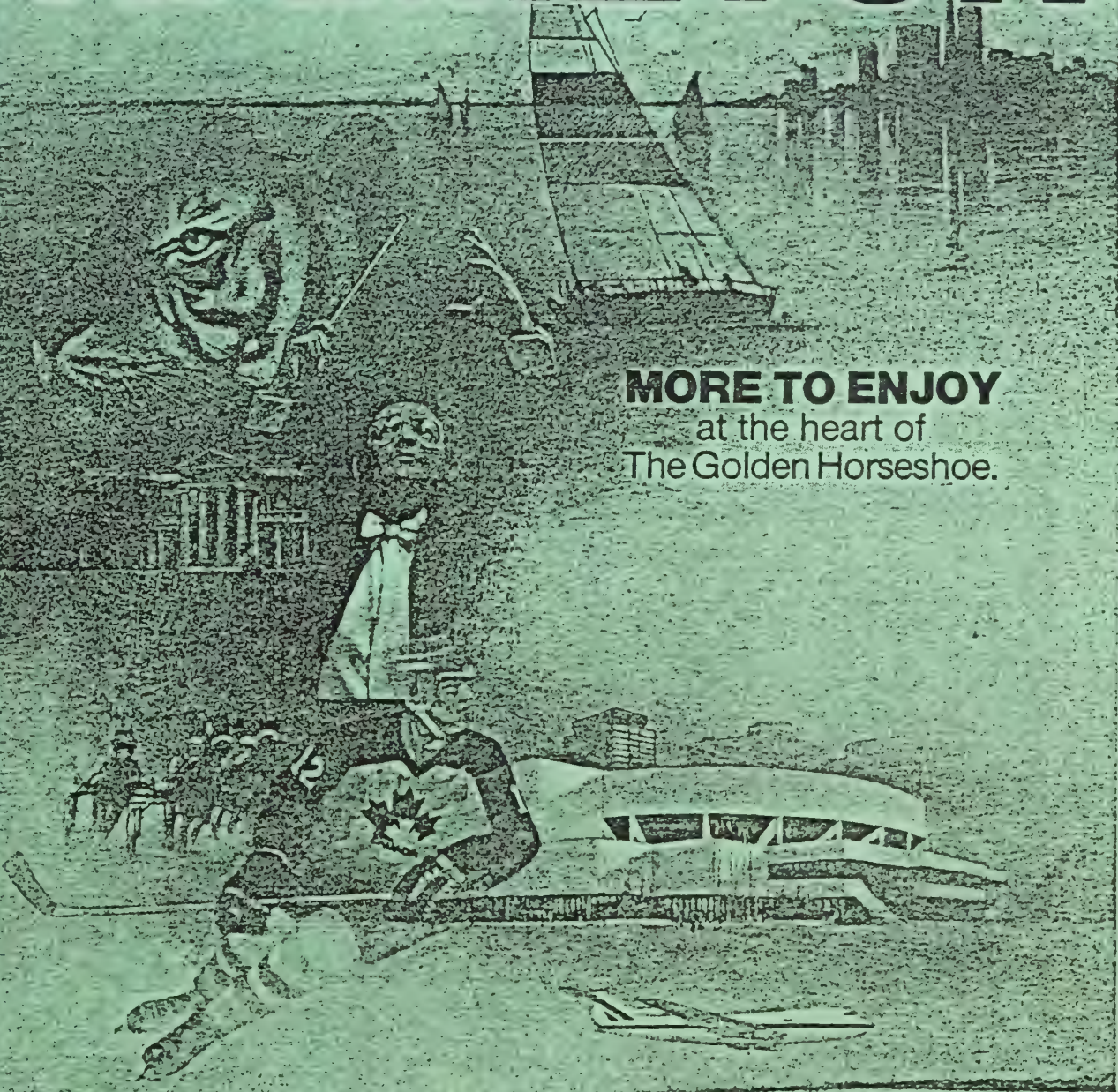




Schedule "B" as referred in Section 1(c) of  
the Fifth Report of the Executive Committee.

# HAMILTON

**MORE TO ENJOY**  
at the heart of  
The Golden Horseshoe.













## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its FOURTH Report for 1986 and respectfully recommends:

1. (a) That an order be placed with Flex-O-Lite of Canada for the approximate quantity of 70 000 lbs. of moisture proof drop-on glass beads for a unit price of \$15.875 per 50 lb. bag, plus 7% Ontario Sales Tax in accordance with specifications issued by the Director of Purchasing and Vendor's tender.

NOTE: Lower of 2 tenders. Funds provided in account #0349-3324.

- (b) That an order be placed with Mills Lighthouse for various sizes of conduit and fittings in accordance with specifications issued by the Director of Purchasing and Vendor's tender for a total of \$17 522.25 plus 7% tax.
2. That the Central Garage Division of the Public Works Department be authorized to hire three (3) additional Equipment Mechanics and to proceed with the necessary steps to fill these positions, immediately.
  3. That the present policy of the City of Hamilton respecting sidewalk snow clearing be confirmed, as follows:
    - (a) That the Public Works Department continue to enforce the Streets By-law #9329 regarding the removal of snow and ice from sidewalks along side or in front of all classes of buildings by warning the occupants that snow or ice must be removed within 24 hours after a snow fall; and
    - (b) That the Public Works Department clear the walks after the 24 hour warning has elapsed; and
    - (c) That a flat rate of \$3.50 per square metre be added to the tax rolls for non-compliance and municipal forces clear away the snow or ice.

NOTE: Pursuant to the direction of the Transport and Environment Committee, sidewalk snow clearing for the entire City has been studied.

In order to complete this study, information was obtained from the City of Toronto concerning their snow removal program. A copy of "Review of City of Toronto Winter Services" (September, 1982) is available in the Public Works Office and has been, in part, used as a resource for this report.

4. That the City of Hamilton be responsible for the costs directly associated with the removal of the roots of City owned trees, from a private sewer connections.

NOTE: It is estimated that the cost to provide this service in 1986 will be \$50 000. Funds have been provided in the proposed 1986 Public Works Budget, 0350-8219 - General Arborists Maintenance Account.

5. (a) That the City Solicitor be directed to prepare a proposed by-law for the sale of the closed highway (alleyway), being Part 2, Plan 62R-5764, being a portion of the Old Library Site, pursuant to Section 298 of the Municipal Act, R.S.O. 1980.  
(b) That the City Clerk be directed to publish a Notice, pursuant to Section 301 of the Municipal Act,, of the City Council's intention to pass the proposed by-law.  
(c) That this Part 2, Plan 62R-5764, be sold to Her Majesty, The Queen, in Right of the Province of Ontario, as represented by the Minister of Government Services, for the sum of \$1, in accordance with and subject to the terms and conditions of an Offer to Sell between the Province and the City.

NOTE: The sale of the Library Site was approved by City Council at its meeting of January 14, 1986, in adopting Item 9 of the 2nd Report of the Executive Committee.

6. That the existing outdoor boulevard cafe measuring 9.0m (29.52') by 9.8m (32.15'), consisting of a white metal railing around the cafe perimeter, including an enclosed wood outdoor service bar structure, abutting 92 King Street East, operated by the Royal Connaught Hotel, be approved,during the pleasure of Council, provided that:
  - (a) The owners prepare a Licensing Agreement and an Encroachment Agreement satisfactory to the City Solicitor, and the Commissioner of Transportation to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss;
  - (b) A Seasonal Licence (from May 1st to October 31st), fee of \$1 899, "plus any costs that may be assessed or incurred by the Municipality, as a result of the approval granted by this licence" be set for the cafe privilege, and

An annual fee of \$35 be set for the privilege of retaining the outdoor service bar structure on the road allowance from November 1st to April 30th, and

The total fee of \$1 934 shall be due and payable to the Corporation, 30 days from the date of this resolution.

- (c) The owners provide proof of \$1 000 000 public liability insurance, naming the City of Hamilton as an added insured party, with a provision for cross-liability, and deliver the policy, or a certified copy or certificate thereof to the City Solicitor, and maintain the policy during the currency of the agreement, and deliver annually a renewal certificate of the policy to the City Clerk.
- (d) That the owners conform to the "Proposed Policy and Procedure Guidelines for Outdoor Boulevard Cafes" as adopted by Council on August 28, 1984; and as amended on July 30, 1985.

NOTE: The Royal Connaught Hotel, applied to the Parks and Recreation Committee, for permission to establish an outdoor boulevard cafe on the road allowance of King Street East abutting 92 King Street East. City Council on July 15, 1985 approved the application, subject to specified conditions. The recommendation addresses these conditions.

- 7. (a) That "The Canadian Red Cross Society" be permitted to display a promotional banner across Main Street West, in front of City Hall, from March 3, 1986 to March 10, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: The banner message content will read: "Red Cross Ready".

- (b) That the "Canusa Games Organization" be permitted to display a promotional banner across Main Street West, in front of City Hall, from June 9, 1986 to June 23, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: The banner message content will read: "Royal Oak 10Km Run For Canusa, Sunday June 22, 1986".



- (c) That "The Big Sisters Association of Hamilton and District" be permitted to display a promotional banner across Main Street West, in front of City Hall, from May 19, 1986 to May 26, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: The banner message content will read: "Big Sisters Association Tag Days - May 23 and 24".

- (d) That a promotional banner be displayed across Main Street West, in front of City Hall, from March 17, 1986 to March 24, 1986, to welcome the delegates to the "Liberal Party of Canada (Ontario)" conference, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: The banner message will contain the appropriate wording welcoming delegates.

- (e) That a promotional banner be displayed across Main Street West, in front of City Hall, from June 19, 1986 to June 22, 1986, to welcome the delegates to the "Ontario New Democrat Party Bi-Annual Convention", subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: The banner message will contain the appropriate wording welcoming delegates.

8. That a policy be established whereby California type approaches be installed when combined sidewalks and curbs are being constructed or reconstructed on all Regional roadways, on local streets with more than two lanes of through traffic and on local streets at locations where special conditions, such as the presence of a catch basin, dictate the design.

NOTE: Staff from the Transportation, Traffic and Public Works Departments have reviewed the present practice of the City with respect to California type approaches. The Current practice is that they are generally installed on arterial streets only or in locations where conditions are such that they will function better than a standard approach. Although staff believe this policy was confirmed by the Works Committee years ago, there is no record of this policy being approved by Council.

9. That the annual fee for "Reserved Permit Parking" permits be \$12 and that this fee be in effect retroactive to January 1, 1986.

10. That the following persons be appointed as By-law Enforcement Officers:

Mr. Jefferey Turner  
Mr. Laverne Goodale  
Mr. Robert Herron  
Mr. Robert Bishop  
Mr. Frank Tubbs

the appointments of the following persons be repealed:

Mr. Richard Kennedy  
Mr. Raymond Horning  
Mr. Dell Edwards  
Mr. Walter Johnson

11. (a) That the boulevard parking agreement registered as Instrument No. 166120 C.D. which permits parking on the road allowance of Leeming Street adjacent to No. 422 Barton Street East be discharged, at the property owner's expense; and
- (b) That the City Solicitor be directed to prepare the necessary documents in relation to the discharge of the agreement, subject to the owners of the property executing an agreement to permit the landscaping on the road allowance of Leeming Street (an area of approximately 1368 square feet) adjacent to this property; and,
- (c) That the City Treasurer be directed to forward a cheque in the amount of \$171 to the owners of the property at No. 422 Barton Street East.
12. That the existing "Alternate Side Parking" regulation on Avondale Street between Barton Street East and Primrose Avenue be switched, such that the winter parking prohibition is on the east side of the street.
13. That a "One Hour Parking Time Limit, 8:00 a.m. to 6:00 p.m., Monday to Friday" regulation be implemented on the north side of Mountain Park Avenue between Viewpoint Avenue and Hamilton Avenue.
14. That the Director of Traffic Services be authorized to issue, upon request, one time limit exemption permit per dwelling unit to residents of the apartment building at No. 596 Concession Street.
15. That a "No Parking, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Roxborough Avenue between Paling Avenue and a point 40 feet westerly therefrom.

16. (a) That a stop sign be erected to control eastbound traffic on Robert Street at Emerald Street North; and
- (b) That stopping be prohibited on the west side of Emerald Street North between Robert Street and a point 74 feet northerly therefrom; and
- (c) That stopping be prohibited on the west side of Emerald Street North between Robert Street and a point 52 feet southerly therefrom.
17. That the School Traffic Officer on Lawrence Road, east of Bettina Avenue, be retained at this location.
18. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the south side of Ninth Avenue, commencing at a point 107 feet east of Fernwood Crescent and extending to a point 80 feet easterly therefrom.
19. That, in accordance with the request by the Hamilton Street Railway Company:
- (a) approval be granted to operate buses eastbound on Montrose Avenue between Rosedale Avenue and Cochrane Road and westbound on Dundonald Avenue between Cochrane Road and Rosedale Avenue; and
- (b) the following bus stop locations be approved:
- |            |          |                                        |
|------------|----------|----------------------------------------|
| Eastbound  | - Add    | - Montrose at Erindale                 |
|            | - Add    | - Montrose at Cochrane                 |
|            | - Add    | - Greenhill, 112 feet west of Cochrane |
| Southbound | - Add    | - Cochrane at No. 558 Cochrane         |
| Westbound  | - Add    | - Dundonald at Aberfoyle               |
|            | - Add    | - Dundonald at Rosedale                |
|            | - Delete | - Rosedale at Dundonald (NW Corner)    |
|            | - Delete | - Greenhill at Cochrane                |
20. For the information of Council, the Committee has appointed Alderman H. Merling and Alderman P. Valeriano to serve on the Bus Shelter Sub-Committee.

21. That leave be granted to introduce the following bill:

- (a) B-11 By-law respecting the construction of local improvements of a curb on the North Side only of Forest Avenue, between Ferguson Avenue and Wellington Street - \$10 000
- (b) B-12 By-law to amend By-law 66-100 to Regulate Traffic
- (c) B-13 By-law to amend By-law 66-100 to Regulate Traffic
- (d) B-14 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse  
Secretary

1986 February 03









## REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its FIFTH Report for 1986 and respectfully recommends:

1. In accordance with leasing arrangements made between the City of Hamilton and the Hamilton Region Conservation Authority, that the following properties be added to the schedule of properties to be leased by the City of Hamilton.

<u>Property Address</u>	<u>Purchase Price</u>
417 Beach Boulevard	\$ 14,800.
73 Beach Boulevard	18,000.
252 Beach Boulevard	11,500.
258 Beach Boulevard	34,000.
167 Beach Boulevard	35,000.

In connection with the long range plans to develop the Beach Strip for park and recreational purposes, these properties along the Beach Strip have been acquired by the Hamilton Region Conservation Authority.

2. That the City enter into a lease with Maurice Carter Chevrolet-Oldsmobile Limited for the lease of 6,916 square feet, more or less, of vacant city land on Elgin Street at Cannon Street East for a period of one year commencing March 1, 1986 at a yearly rental of \$3,900.00 (including taxes) payable in equal monthly installments of \$325.00. That the Lessee have the option to renew for a further year at a rental agreeable to both parties providing the lands are not required for parks purposes. We further recommend that the City Solicitor be authorized to prepare the necessary lease.

### EXPLANATORY NOTE:

The above mentioned property containing 6,916 square feet was purchased by the City for the Beasley Park. As this vacant land is not required immediately for parks purposes, Maurice Carter Chevrolet-Oldsmobile Limited has requested the opportunity of leasing this land for vehicle display.



3. a) That the City of Hamilton agree to renew the lease dated August 1st, 1984 with the Macassa Bay Yacht Club,
- b) That the new term commence December 1st, 1985 and expire on November 30th, 1986 for an annual rent of \$4,000. plus taxes.
- c) That the Mayor and City Clerk be authorized to execute the renewal agreement.
4. That an Option to Purchase 0.125 hectares more or less, (0.5 acres) of land in Greeningdon Neighbourhood as a park site for the total amount of \$45,000., executed by the Estate of Solomon Wasserman on January 15, 1986 and scheduled for closing on April 15, 1986 be approved and completed.

NOTE:

The lands which are undeveloped have a frontage on the southerly limits of Bryna Avenue of 36.58m more or less, (120 feet) by a depth of 54.87m more or less (180 feet).

The purchase price of \$45,000. the cost of which is to be debited again Account No. 0408 - (Priority 1 Parks Fund).

Consideration in the amount of \$1.00 has been paid to the owners, and pursuant to the agreement, forms part of the purchase price.

Acquisition of this property was authorized by City Council on January 7, 1986.

5. That an Offer to Purchase the lands of The Corporation of the City of Hamilton, known as Part 2, Plan 62R-7951 - Rear land at 328 Lake Avenue North for the total amount of \$6,600., duly executed on January 20, 1986, by the Purchasers, John William Doesborgh and Theresia Maria Doesborgh and scheduled for closing on August 22, 1986, be approved and completed.

NOTE:

This Offer to Purchase is conditional on the following terms:

- 1 (a) It is understood and agreed by the Purchasers and Vendor that the closing of this transaction is conditional upon the subject lands receiving an Official Plan

Amendment and rezoning to allow industrial uses on this site and incorporating the concerns of the Hamilton Region Conservation Authority. This Contract of purchase and sale is conditional upon the lands to be purchased being zoned in such a way as to permit the expansion of the existing building on the lands to the west presently owned by the Purchaser onto the lands to be purchased.

- (b) If the aforementioned conditions cannot be complied with, then the Purchaser or Vendor may terminate this agreement by delivering on or before August 1, 1986, written notice of either party and the Purchaser shall not be liable for any damages or costs and the Vendor shall return the Purchaser's deposit without interest.

2. It is further understood and agreed by the Purchaser that the Purchaser covenants and agrees to and with the Vendor:

- (a) That within six months of the closing date the Purchaser install at its own costs a permanent fence along the east and southern lot lines in order to separate the proposed industrial use from the open lands.
- (b) That the Purchaser must within six months of the closing date regrade and topdress the filled area located on the subject lands in accordance with the approval of the Hamilton Region Conservation Authority. No additional fill will be placed on the subject lands.
- (c) 1. In the event that the Purchaser does not comply with covenants 2A and 2B or either of them by the date(s) set out therein, the Purchaser covenants and agrees that the Purchaser shall sell the lands to the Vendor free and clear of all charges, encumbrances, liens, claims or adverse interests whatsoever - if requested by the Vendor for the sale price herein, (without any interest) - less (a) the deposit; (b) the commission paid (if any) by the Vendor to the Real Estate agent; (c) arrears of realty taxes (including the

local improvement charges), penalty and interest owing on them - and further, without increase or compensation for costs of any improvements, additions, alterations, services or structures on, in or under the said lands.

2. The said Vendor as registered owner and the said Purchaser hereby apply to request and authorize the Land Registrar to have Notice of the covenants set out above entered on the Register of the land being transferred herein to the said Purchaser.
3. The Purchaser agrees that the restrictions, covenants and agreements in paragraph 2A and 2B shall not merge upon the closing of this transaction but shall continue in full force and effect for the benefit of the Vendor its successors and assigns.
4. The Purchaser agrees that the transfer to them which they shall execute shall be subject to and include said paragraphs 2A and 2B and its restrictions, covenants and agreements.
5. It is understood and agreed that the Vendor upon completion of this transaction will pay a 5% real estate commission to Humphreys, McCaw Inc., whose agent Mr. Syd Hamber acted in this matter.

The purchase price is \$6,600. A cash deposit in the amount of \$660., is being held by the City Treasurer pending Council approval.

The property is composed of a parcel of land located to the rear of 328 Lake Avenue North having a measurement of 19.792m (64.93 feet by 33.841m/34.549m (111.02 feet/113.34 feet) and containing an area of 668.1m<sup>2</sup> (.165 acres) and more particularly described as Part 2, Plan 62R-7951.

6. That a purchaser order be placed with Safety House of Canada Ltd., for 25 Emergency Shower Eye/Face Wash Stations for \$13,100.81, including 7% Provincial Sales Tax in accordance with specifications issued by the Director of Purchasing and Vendor's Tender.

NOTE:

Lowest of 14 Tenders. Funds provided in Account No. 02 80-24.

The above has been processed through the emergency procedures of the City of Hamilton Purchasing Policy, that states "An order can be placed upon the approval of two of the following; the Mayor; the appropriate Committee Chairman, the C.A.O. and that any action taken under this provision to be reported to the next regular meeting of City Council."

7. That the 1986 Green Fees for the Chedoke/King's Forest Golf Courses be increased according to the following scale:

CHEDOKE	Present	Proposed '86	Present	Proposed '86
Beddoe Course:			Martin Course:	
1. a) Weekday	\$10.00	\$11.00	\$9.00	\$10.00
b) Twilight	8.00	9.00	6.00	8.00
2. a) Weekend/ Holiday	11.00	12.00	10.00	11.00
b) Twilight *	9.00	10.00	7.00	8.00
3. Pensioner	6.00	7.00	5.00	6.00

KING'S FOREST	Present	Proposed '86
1. Dailey	\$11.00	\$12.00
2. Twilight *	9.00	10.00
3. Pensioner	6.00	7.00

\* NOTE: Twilight Hours commence at 5:00 p.m.

8. That the Hamilton Stoney Creek Skating Club be authorized to sell alcoholic beverages in the Mountain Arena Community Room, on the occasion of hosting the Western Section Precision Championships on Saturday, February 22, 1986, subject to the following terms and conditions:

- That the necessary licence is obtained from the Liquor Licence Board of Ontario.
- Adequate police security is provided.



9. For the information of the member of City Council, the Parks and Recreation Committee has appointed the following citizens to the Sub-committees indicated below:

(a) Crystal Palace Sub-Committee

1. Murray Aikman
2. Mr. A. E. Bowler
3. Don Drury
4. Stephen Fletcher
5. Pat Greenaway
6. Tom Jackson
7. D. R. MacLennan
8. Alan Paterson
9. Joan Renison

NOTE:

In addition to the nine citizen applicants, the Mum Show Committee has appointed the following representatives to the Crystal Palace Sub-committee:

Mrs. E. Morrow, Mrs. I. Smith, Mr. E. R. Seager and Mr. C. Cicero

(b) Hamilton Historical Board

1. Miss C. Abi-Rashed
- 2.. Mr. Bert Allen
3. Rev. T. Bailey
4. Mr. Colwyn Benyon
5. Mr. Anthony Butler
6. Miss Carolyn Gray
7. Mrs. R. Michael
8. Mrs. Susan Shaker
9. Mr. Shane Watson

NOTE:

In addition to the nine citizen applicants, L.A.C.A.C., has appointed Mr. Brian Henley as their representative.

10.

That approval be given to the composition of the Task Force Assembly and Committee structure shown on the attached schedule marked as APPENDIX "A" on the understanding that this Committee would function for approximately a six (6) month period to develop a response to the Terms of Reference for a Municipal Arts Policy.

EXPLANATORY NOTE:

1. Appendix "A" attached contains additional information relative to the Terms of Reference for each Sub-Committee as well as the Arts Task Force Terms of Reference.
2. The development of a Municipal Arts Policy as recommended in the Master Plan has made great strides with the formation of an "Arts Assembly."

This Committee attracted (60) Sixty Applicants who agreed to serve on 5 (five) Sub-Committees:

- (1) Facilities
  - (2) Funding
  - (3) Inventories
  - (4) Marketability
  - (5) Relationships
3. The Co-Ordinating Committee for the Task Force is comprised of the Chairperson of those committees note above, together with advisory staff of the City and the Province.
  4. It should be further noted that Federal input may be requested in the near future.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

John D. Thompson,  
Acting Secretary



# City of Hamilton

## CULTURE & RECREATION MASTER PLAN

### ARTS TASK FORCE

#### CO-ORDINATING COMMITTEE

1/ Bill Powell (Facility Access)	401 Main St. West Hamilton, Ontario	525-6644	Creative Arts
2/ Peter Mandia (Funding)	1507-200 Bay St. S. Hamilton, Ontario L8P 4S4	525-3373	Theatre Aquarius
3/ Valerie Harris (Inventory)	211-100 Forest Ave. Hamilton, Ontario L8N 3X2	529-8111x2571 (Bus)	Hamilton Public Library
4/ Ruth Slater (Marketability)	829 Forest Glen Burlington, Ontario L7T 2L1	522-7815 (Bus) 634-0055 (H)	Theatre Aquarius
5/ Gordon White (Relationships)	17 Kinnell Street Hamilton, Ontario L8R 2J8	522-9633 (Bus) 527-6039 (H)	Petteplace Gallery

#### CO-DESIGNATES

1/ Anne Goetz (Facility Access)	981 Main St. West Hamilton, Ontario L8S 1A8	525-0607	Graphic Artist- Theatre Ontario Talent Bank
2/ Digby Banting (Funding)	c/o Hamilton Folk Arts Heritage Council P.O. Box 2040 Hamilton, Ontario L8N 3T4	526-0092 (Bus)	Hamilton Folk Arts Heritage Council
3/ Ania Latoszek (Inventory)	401-325 A James St. S. Hamilton, Ontario	526-7369	Whitehern
4/ Ken Brown (Marketability)	23 Oak Avenue Hamilton, Ontario L8L 5M7	523-7259	<u>Musician</u>
5/ Bo Todd (Relationships)	1-116 Park Row North Hamilton, Ontario L8H 4E6	549-9001 (H)	

#### ADVISORS

Bob Sudgen Steven Baulch Margaret Anderson Herrmann	}	Dept. of Culture & Recreation 71 Main Street West Hamilton, L8N 3T4	526-2750 OR 526-4663
Karen Daniels		Ministry of Citizenship & Culture 119 King Street West 8th Floor Hamilton, L8N 3V9	521-7229

Co-ordinator - R. Sugden, R.D.M.R.  
c/o Master Plan Office  
4th Floor - City Hall  
526-4663

# MEETING SCHEDULE

5-2

Marketing	Wednesday Jan. 15th	City Hall Rm 219	6:00 pm.
Facilities	Wednesday Jan. 22nd	Board of Education	7:30 pm.
Funding	Wednesday Jan. 22nd	Folk Art Council	4:00 pm.
Relationships	Monday Jan. 20th	Hamilton Place	7:00 pm.
Inventory	To be arranged		

NOTE:

Co-ordinating Committee Meeting

Tuesday Jan. 28th - 7:00 pm.

@ Theatre Aquarius  
50 Murray Street West  
Hamilton



3-3

ARTS TASK FORCE

Sub-committee (1) - Facility Accessibility

Terms of Reference

1. To make recommendations to optimize the resources available for the Arts and Cultural Community in the City of Hamilton.
2. To recommend ways in which the Arts and Cultural Community can be incorporated effectively into municipally owned facilities.

Membership:

Chairperson - Bill Powell	401 Main St. West Hamilton	525-6644
Co-designate - Anne Goetz	981 Main St. West Hamilton L8S 1A8	525-0607
Craig Burtch	784 Roxborough Ave. Hamilton L8H 1S9	549-0577
Lawson Hunter	80 Eastbourne Ave. Hamilton L8M 2M8	544-6836
Glenn Mallory	12 Queensdale Ave. E. Hamilton L9A 1K1	527-5092 B 385-6526 R
Jenny Murphy	401 Queen St. South Hamilton L8P 3T8	523-1747
Wally Parsons	49 Chestnut Avenue Hamilton L8L 6K8	549-8123
Charles P. Renaud	32 Blythe Street Hamilton L8N 2W4	528-6829
Anuva Swift	166 East 42nd Street Hamilton L8T 3A5	388-5515

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The following people did not attend the 1st meeting but have been assigned to this committee, subject to their approval.

Stephen Alan	46 Lawfield Drive Hamilton L8V 4C5	383-3406
Sheila Gertridge	2102-160 Market St. Hamilton L8R 3J6	521-1890
Dr. Michael Romeo	7 Auchmar Road Hamilton L9C 1C4	383-3551

Sub-committee (2) - Funding

Terms of Reference

1. To recommend appropriate funding priorities for the Arts and Cultural Community by the Corporation of the City of Hamilton.
2. To make recommendations on the impact of funding to the Arts and Cultural Community regarding philosophies such as "user pay".
3. To make recommendations to optimize the resources available for the Arts and Cultural Community in the City of Hamilton.

Membership:

Chairperson - Peter Mandia	1507-200 Bay St. S. Hamilton L8P 4S4	525-3373
Co-designate - Digby Banting	c/o Hamilton Folk Arts Heritage Council P.O. Box 2040 Hamilton L8N 3T4	526-0092
Robert Aceti	56 Frederick Ave. Hamilton L8H 4K6	545-5757
Sheila Greenspan	c/o 123 King St. West Hamilton L8P 4S8	527-7710
Ainslie Hector	2 Louisa Street Hamilton	527-7627 day 525-5975 evening
Harley Murphy	401 Queen St. South Hamilton L8P 3T8	525-7400
William Randall	15 Fassett Avenue Hamilton L9C 4E6	388-2494
William Rosart	2 Guise St. East #404 Hamilton L8L 8C5	527-5835
Tom Willy	1-312 Aberdeen Ave. Hamilton L8P 2R5	526-9110

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The following people did not attend the 1st meeting but have been assigned to this committee, subject to their approval.

Colwyne Beynon	518 Concession St. Hamilton L8V 1A6	383-2209
Edward Hannah	50 Young St. #402 Hamilton L8N 1V2	529-6599
Stephen Newman	194 Hatt Street Dundas L9H 5G3	627-9612

Sub-committee (3) - Inventory

Terms of Reference

1. To make recommendations to aoptimize the resources available for the Arts and Cultural community in the City of Hamilton.

Membership:

Chairperson - Valerie Harris	211-100 Forest Ave. Hamilton L8N 3X2	529-8111x257 W 524-0772 H
Co-designate - Ania Latoszek	401-325A James St. S. Hamilton	526-7369 H

Sub-committee (4) - Marketability

Terms of Reference

1. To recommend the appropriate steps to stimulate, market and promote the Arts and Cultural Community in Hamilton as a growth industry.
2. To recommend the appropriate steps to stimulate community participation in the Arts in Hamilton.
3. To recommend the appropriate processes to develop new and innovative Arts and Cultural endeavours in Hamilton.

Membership

Chairperson:- Ruth Slater	829 Forest Glen Burlington L7T 2L1	522-7815 B 634-0055 H
Co-designate - Ken Brown	23 Oak Avenue Hamilton L8L 5M7	523-7259
Claudia Betak	174 Stanley Ave. Hamilton L8P 2L4	524-2533
Marion Farnan	85 Creighton Road Dundas L9H 3B7	628-2795
Ross Gibaut	238½ James St. N. #2 Hamilton L8R 2L3	528-7925
Yvonne Maracle	15 Windsor Street Hamilton L8R 2G9	525-2926
George Montgomery	431 Pomona Ave. Burlington L7N 1T6	634-3654
Barry Sandland	- ? -	521-3060
Jeff Seffinga	3-100 Connaught Ave. S. Hamilton L8M 3C5	547-2330
Marilynn Soules	c/o Dundurn Castle	522-5313 B
Gloria Velic	c/o 19 Murray St. W. Hamilton L8L 1B1	523-8268
David Victor	26-47 Strathcona Ave. N. Hamilton L8R 3B9	527-6283
Jon Zemitis	40 Dondas Street Dundas L9H 2R3	522-7244 B 627-4543 R

The following people did not attend the 1st meeting but have been assigned to this committee, subject to their approval.

Betty Davidson	Box 121 Stoney Creek L8G 3Y7	662-5787
Jude Johnson	97 Sanford Ave. South Hamilton L8M 2G7	523-4305
Jonathon Porter	334 East 14th St. #301 Hamilton L9A 4C2	385-0158



Sub-committee (5) - Relationships

Terms of Reference

1. To document the roles, responsibilities and relationships within the Arts and Cultural Community of Hamilton.
2. To recommend the appropriate levels of involvement for Municipal Government and to document the level of involvement of Municipal, Provincial and Federal governments within the community.
3. To recommend the appropriate relationship between the Arts and Cultural Community of Hamilton and the Corporation of the City of Hamilton.

Membership

Chairperson - Gordon E. White	17 Kinnell Street Hamilton L8R 2J8	522-9633 B 527-6039 H
Co-designate - Bo Todd	1-116 Park Row N. Hamilton L8H 4E6	529-1985 B 549-9001 H
Stephen Arthurs	2102-160 Market St. Hamilton L8R 3J6	523-5440 B 521-1890 H
Irene Banting	c/o Hamilton Folk Arts Heritage Council P.O. Box 2040 Hamilton L8L 1P3	526-0092 B 662-6953 H
Phyllis Bending	133 Robinson St. #4 Hamilton L8L 1P3	525-0866 H
Barbera Cooper	87 Auchmar Road Hamilton L9C 1C6	525-9140x2725
Trudi Down	146 Rothsay Ave. Hamilton L8M 3G4	545-5274
Lucy Gerritsen	55 King St. W. Dundas	627-7020
Isabelle Houston	31 Mapleside Ave. Hamilton L8P 3Y4	525-5724
F. Eleanor Johnson	70 Thomson Dr. Waterdown (Box 556)	689-5460 689-4466
Jackie Munro	1 Beulah Ave. Hamilton L8P 4G8	522-7020
Elizabeth Poynter	1-993 Mohawk Rd. E. Hamilton L8T 2S1	383-9435 R 388-9734 B
Myrna Putns	18 Peace Court Hamilton L8K 5T8	561-2201 H
Shawn Selway	82 Homewood Ave. Hamilton L8P 2M4	527-1697
Nigel Sloan	153 1/2 King St. E. Hamilton L8N 1B1	527-1766

Sub-committee (5) - Relationships Cont'd

The following people did not attend the 1st meeting but have been assigned to this committee subject to their approval.

Leslie Atkinson	Hamilton Place P.O. Box 2080 Station A Hamilton L8N 3Y7	527-5995
Joyce Mongeon	599 Stone Church Rd. W. Hamilton L9B 1A5	385-1475
Maria Rikic	22 Blake Street Hamilton L8M 2S5	549-6853



City of Hamilton

# CULTURE & RECREATION MASTER PLAN

## PROGRESS REPORT

ARTS TASK FORCE TERMS OF REFERENCE

The Arts Task Force is to be established in October 1985. Over a six month period, the Task Force will respond to specific issues within the following terms of reference developed from recommendation #8 of the Master Plan and prepare appropriate recommendations for consideration by the Parks and Recreation Committee.

1. To document the roles, responsibilities and relationships within the Arts and Cultural Community of Hamilton.
2. To recommend the appropriate levels of involvement for Municipal Government and to document the level of involvement of Municipal, Provincial and Federal governments within the community.
3. To recommend the appropriate relationship between the Arts and Cultural Community of Hamilton and the Corporation of the City of Hamilton
4. To recommend appropriate funding priorities for the Arts and Cultural Community by the Corporation of the City of Hamilton.
5. To make recommendations on the impact of funding to the Arts and Cultural Community regarding philosophies such as "user pay".
6. To make recommendations to optimize the resources available for the Arts and Cultural community in the City of Hamilton.
7. To recommend ways in which the Arts and Cultural Community can be incorporated effectively into municipally owned facilities.
8. To recommend the appropriate steps to stimulate, market and promote the Arts and Cultural Community in Hamilton as a growth industry.
9. To recommend the appropriate steps to stimulate community participation in the Arts in Hamilton.
10. To recommend the appropriate processes to develop new and innovative Arts and Cultural endeavours in Hamilton.

The Arts Task Force will be ratified by the Parks and Recreation Committee and City Council. The composition of the Task Force is defined on a separate document. The appointed members of the Task Force/Steering Committee will be based upon input from the Arts and Cultural Community assembly.

The Arts Task Force will determine the operating and meeting format guidelines in concert with the Department of Culture & Recreation and Recreation staff input and resources. Similarly, the reporting procedure will be developed complete with time frames.







## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its **FOURTH** Report for 1986 and respectfully recommends:

1.     A       a)   **That approval be given to Application SA 85-18, 448947 Ontario Limited and P. Barnett Construction Limited, owners, to establish a draft plan of subdivision on the east side of Upper Gage Avenue, north of Rymal Road (Highway No. 53), subject to the following conditions:**
  1.   That this approval apply to the plan prepared by A. J. Clarke & Associates Limited dated August 19, 1985, revised to show 49 lots for single-family dwellings, one block for road widening and three blocks for 0.3 m reserves.
  2.   That the owner pays the cost of services for Upper Gage Avenue.
  3.   That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  4.   That the final plan conform with the zoning by-law approved under The Planning Act.
  5.   The the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  6.   That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  7.   That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  8.   That the dead-end of the road allowances created by the plan (as revised) be terminated in a 0.3 m reserve (Blocks 51, 52, 53) to be conveyed to the City of Hamilton and be held by the City until required for the future extension of the road allowance.

9. That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b) That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA 85-18), 448947 Ontario Limited and P. Barnett Construction Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

c) The the Neighbourhood Plan be changed accordingly.

B a) That approval be given to Zoning Application 85-100, 448947 Ontario Limited and P. Barnett Construction Ltd., owners, for a change in zoning from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District and "RT-20" (Townhouse and Maisonette) District, for property located on the east side of Upper Gage Avenue in the area north of Rymal Road East, as shown on the attached plan marked as APPENDIX "A" on the following basis:

i) That the lands shown as Block "1" be rezoned from "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District;

ii) That the lands shown as Block "2" be rezoned from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District;

iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-49D.

iv) That the Templemead Neighbourhood Plan be amended by re-designating Block 2 from "Low Density Apartments" to a "Single and Double Residential" use.

- v) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

**EXPLANATORY NOTE:**

The purpose of the by-law is to provide for the following changes in zoning for property located on the east side of Upper Gage Avenue in the area north of Rymal Road East, as shown on the attached plan marked as APPENDIX "A" on the following basis:

Block "1" - change in zoning from "D" (Urban Protected Residential One and Two Family Dwellings, etc.) District to "C" (Urban Protected Residential, etc.) District.

Block "2" - change in zoning from "RT-20" (Townhouse and Maisonette) District to "C" (Urban Protected Residential, etc.) District.

The effect of the by-law is to permit development of the land for the purpose of constructing single-family detached dwelling

2. A That approval be given to **amended Zoning Application 85-102, Mario Posterano, Michael Barliak and Shawn Parks, lessees**, for a modification to the established "M-14" (Prestige Industrial) District regulations applicable to the property located at the northeast corner of Hempstead Drive and Nebo Road, as shown on the attached map marked APPENDIX "B", on the following basis:
- a) That the "M-14" (Prestige Industrial) District provisions, as contained in Section 17F of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
- i) That notwithstanding Section 17F(1)(b) of Zoning By-law No. 6593, a fitness centre and accessory uses including, but not limited to, an accessory sales area and refreshment counter shall be permitted within the existing building.
- ii) That notwithstanding Subsection 4(f) of Table 1 of Section 18A of Zoning By-law 6593, a minimum of 39 parking spaces shall be provided.



- iii) That notwithstanding Table 4 of Section 18A of By-law No. 6593 no loading space shall be required.
  - b) That the amending by-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-948 , and that the subject lands on Zoning District Map E59C be notated S-948 .
  - c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E59C;
  - d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and
  - e) That the Mountain Area Industrial Plan be amended by redesignating the subject lands from "Restricted Industrial" to "Restricted Industrial-Commercial".
- B) That Council approval of the amending by-law be withheld until a Site Plan has been submitted and approved by the Planning and Development Committee for the subject property.

**EXPLANATORY NOTE:**

The purpose of the by-law is to provide for a modification to the established "M-14" (Prestige Industrial) District regulations for the property located at the north-east corner of Hempstead Drive and Nebo Road as shown on the attached key map.

The effect of the by-law is to permit a fitness centre (Gold's Gym,) including an accessory sales area and refreshment counter in the existing building. In addition, the by-law provides for the following variances:

- o That a minimum of 39 parking spaces, whereas up to 49 may have been required; and,
- o to eliminate the requirement for a loading space.

3. A That approval be given to **Official Plan Amendment No. 34** to establish a site specific amendment to permit the reconstruction of a building for mixed commercial/residential uses, and having a maximum gross floor area of 118.5 m<sup>2</sup> for lands located at NO. 660 Upper James Street, as shown on the attached APPENDIX "C".

B That approval be given to **Zoning Application 85-94, Filippo Cassano, owner**, to establish a further modification to the "H" (Community Shopping and Commercial, etc.) District regulations applicable to lands located at No. 660 Upper James Street, as shown on the attached map marked as APPENDIX "C" on the following basis:

- i) That the "H" (Community Shopping and Commercial, etc.) District regulations, as contained in Section 14 of Zoning By-law No 6593, as amended by By-law 83-271, applicable to the subject lands be further modified to include the following variances as special requirements:
  - a) That notwithstanding the provisions of Section 2.(a) of By-law No. 83-271, the following uses should be permitted:
    - 1. one dwelling unit limited to the second floor of the building; and
    - 2. a dressmaker's shop.
  - b) That Section 2.(b)(iii) shall not apply to the subject lands.
  - c) That notwithstanding Section 2.(b)(iv) of By-law 83-271, a new building having a maximum gross floor area of 118.5 m<sup>2</sup> and having not more than 2 storeys plus a basement shall be permitted.
- ii) That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-830a, and that the subject lands on Zoning District Map W-8 be notated S-830a.
- iii) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593, as amended by By-law No. 83-271, and Zoning District Map W-8.
- iv) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon the approval of Official Plan Amendment No. 34.

**EXPLANATORY NOTE:**

The purpose of the by-law is to further amend the "H" (Community Shopping and Commercial, etc.) District regulations applicable to lands located at No. 660 Upper James Street, as shown on the attached key map.

The effect of the by-law is to permit the construction of a new building having a maximum gross floor area of 118.5 m<sup>2</sup> (1,275 square feet) and a maximum height of two storeys plus a basement. The by-law provides additional modifications so as to permit a dressmaker's shop and hairstylist on the first floor, and one dwelling unit on the second floor.

4. That approval be given to **Zoning Application 85-99, Thomas Smith, lessee**, for further modifications to the established "C" (Urban Protected Residential, etc.) District, regulations applicable to the property located at No. 263 Mohawk Road West, as shown on APPENDIX "D", on the following basis:
  1. That the "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593 as amended by By-law No. 82-183, be further modified to include the following variance as a special requirement:
    - a) That notwithstanding the provisions of Section 9(1) of By-law No. 6593, the following shall be permitted;
      - i) a chiropractor's office within the existing building; and,
      - ii) an unlighted name plate having an area of not more than 0.2 square metres attached to and as nearly as practicable flush with the wall of the dwelling.
  2. That the "Parking and Loading Requirements" as contained in Section 18A of By-law No. 6593, be modified to include the following variance as a special requirement:
    - a) That notwithstanding Section 4(a) of Table 1 of Section 18A, three parking spaces shall be required on the subject property.
  3. That the amending by-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-795a, and that the subject lands on Zoning District Map W9 be notated S-795a;
  4. That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map W9; and,
  5. That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.



**EXPLANATORY NOTE:**

The purpose of the by-law is to provide further modifications to the established "C" (Urban Protected Residential, etc.) District provisions applicable to property located at No. 263 Mohawk Road West, as shown on the attached plan.

The effect of the by-law is to permit a chiropractor's office for a chiropractor within the existing building; which is to be relocated from No. 271 Mohawk Road West, as well as provide for signage on the property. In addition, the by-law requires three parking spaces on the subject property.

5. That Zoning Application 85-93, Eugene Kuzminski, owner, requesting a modification to the established "C" (Urban Protected Residential, etc.) District, for property located at No. 15 Proctor Boulevard, to permit a converted dwelling having a maximum of four units as opposed to a permitted maximum of three dwelling units as legally established, BE **DENIED** for the following reasons:
  1. The proposal conflicts with the intent of the approved Gibson Neighbourhood Plan which designates the subject property as "single, double and attached housing".
  2. The proposal is out of character with the surrounding area which is occupied primarily by one and two-family dwellings and represents an over-intensification of land use.
  3. The proposal would require a total of five on-site parking spaces whereas it may only be possible to provide for two or at the very most three off-street parking spaces. Approval of the application would result in the conversion of the entire rear yard to a parking lot, and the loss of all the outdoor amenity space for use of the residents of the building.
  4. It would establish an undesirable precedent and set the stage for future similar applications in this area.
  5. Under the previous "D" zoning applicable to lands in this area conversion to no more than three dwelling units would have been permitted. Under a neighbourhood down-zoning it was intended to prevent such conversions.



6. That approval be given to a request by Michele and Angelo Paolozza, owners of lands at 47 Lasila Court, to permit a distance of 21.639 m (70.9 feet) instead of 22.860 m (75 feet) from the Mountain Freeway lands, as required by the "Residential Development Standards to Control the Effects of Freeway Noise", as adopted by City Council on October 9, 1973 and as amended on June 29, 1976, September 27, 1977, and April 11, 1978.

**EXPLANATORY NOTE:**

The relief requested is to permit the constructed dwelling to remain in its present location at 21.639 m (70.9 feet) instead of 22.860 m (75 feet) from the proposed Mountain Freeway.

7. A That the proposed Glanbrook Official Plan is generally compatible with the planning intentions of the City of Hamilton, specifically with regards to the land uses along Highway No. 6 Upper James Street corridor. However, there are certain areas where minor changes should be incorporated to clarify the intent of the Plan. In particular:
- i) Policy B.2.5.8 should be modified by adding the words "and/or future" after the words "existing" in the last line, to ensure that future residential uses adjacent to the "North Glanbrook Industrial Business Park" are adequately screened and buffered from industrial uses in the area; and,
  - ii) Schedule "A" - Land Use Plan should be modified to clearly delineate the boundaries of the Urban and Rural Areas.
- B That the City Clerk be directed to advise the Ministry of Municipal Affairs regarding A above and, forward a copy of the attached technical report.

**EXPLANATORY NOTE:**

The Ministry of Municipal Affairs has requested the City to comment on the proposed Official Plan for the Township of Glanbrook. A review of the proposed Plan has revealed that some minor aspects require further clarification.

8. That the City Solicitor be authorized and directed to prepare a by-law to rescind By-law No. 84-188 dated 1984 August 28 passed by City Council which was for the compliance of an Order dated 1984 April 26 for the repair

of the building at 154 Glenfell Avenue pursuant to Subsection 21, of Section 31(7) of the Planning Act, 1983, now Subsection 20 of Section 31 of the Planning Act, 1983 as the Order is now in compliance.

9. That the Building Commissioner be authorized to issue a Demolition Permit for the demolition of residential building as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.
  - a) 16 Bayside Avenue
10.
  - a) That May Pirie & Associates Limited, Community Planning Consultants, be retained as Planning Consultants in order to support the City's position in favour of Official Plan Amendment No. 28 at an Ontario Municipal Board Hearing.
  - b) That Currie, Coopers & Lybrand be retained as economic development consultants for this hearing.
  - c) That the funds required to finance the cost of retaining the above consultants be charged to account 0325-0156, Consultant's Fees - Legal Department.

**EXPLANATORY NOTE:**

1. Official Plan Amendment No. 28 was adopted by By-law No. 85-236 on October 26, 1985. It relates to land on Upper James Street from the East-West and North-South Transportation Facility to the City Limits and Fronting on Rymal Road in the vicinity of Upper James Street.
2. An objector to O.P.A. 28, has requested that the Plan be referred to the Ontario Municipal Board for a hearing. The Minister is obligated to make such a referral. No hearing date has as yet been appointed, although it is expected to be fixed for some time in February.
3. The Director of Local Planning has advised that the Planning Department did not originally support O.P.A. No. 28.
4. In the normal course of Ontario Municipal Board hearings, evidence by professional staff Planners of the Planning Department is required in order to support the City's position in favour of an Official Plan Amendment or a zoning change. On occasion, however,

the staff Planners in their professional opinion do not agree with Council's planning proposal and cannot be used as witnesses.

5. Where Staff Planners are not available, it is usual for the Council to hire outside Planners to provide evidence in support of the City's proposal before the Ontario Municipal Board.
6. May Pirie & Associates Limited, Community Planning and Development Consultants, had previously appeared before the Ontario Municipal Board on September 12, 1985 on behalf of the City and the Region in connection with Official Plan Amendments affecting James Street North. Mr. D. May is familiar with the planning issues in the area.
7. The hearing referred to in paragraph 6 related to the Regional Official Plan No. 11 and City Official Plan Amendment No. 22. The effect of both amendments was to remove the staging of development and its policies so as to permit development to proceed following economic demands.
8. Mr. May is an expert witness competent to assist by providing planning evidence. However, as a result of a previous hearing in connection with Regional Official Plan Amendment No. 11 and City Official Plan Amendment No. 22, and the evidence at that hearing and the decision of the Ontario Municipal Board, it is also necessary to have available economic evidence relating to the development of Upper James Street. This point came out at the previous hearing on September 12, 1985 relating to Official Plan Amendments Nos. 11 and 22.
9. Mr. May has informed the City that Messrs. Currie, Coopers & Lybrand have produced such evidence and have statistics available in relation to the Mountain Freeway and its effect on economic development on the Mountain, including Upper James Street To Rymal Road. At the previous hearing on September 12, 1985, he informed that such evidence would be essential for dealing with O.P.A. No. 28 which was then under consideration by the Planning Department.
10. The Committee is of the view that economic evidence is basic to the City's case in favour of O.P.A. No. 28 and concur with Mr. D. May.
11. The Planning Department could provide detailed explanation of Official Plan Amendments Nos. 11, 22 and 28.



11. That the Mayor and City Clerk be authorized to execute Consent and Waiver of Notice for Part Lot 5, Concession 7, Township of Barton, now in the City of Hamilton.

**EXPLANATORY NOTE:**

By a letter dated 1986 January 16 Borkovich and Ingrassia, Solicitors for John F. Petis, the owner of land, requested the City to execute the Consent and Waiver of Notice. Mr. Petis is in the process of developing the lands know as the Quincy Court Subdivision, and is making application to place certain lands into Land Titles which is required for registration of the Subdivision Agreement.

The Regional Surveyor's section has informed the committee that the parcels of land under application to be registered in Land Titles were sold by the City to the developer, Mr. Petis, and the City has not retained any interest in those parcels of land.

12. i) That "Addendum No. 1, Phase III: The Third Priority Actions", referred back by City Council at its meeting held 1986 January 14 be amended by deleting all references to the "Gateway Treatment," (Phase III-A) at five major entry intersections into the Study Area/Central Business District and that the City Solicitor be authorized and directed to advise the Ontario Municipal Board of Council's decision requesting that their Order dated August 2, 1985 (File No. E850718), approving Phase III-A at an estimated cost of \$329,000. **be cancelled.**
- ii) That the City Solicitor be hereby authorized and directed to prepare and submit to City Council for approval a by-law to amend By-law No. 85-203, pursuant to sub-section (7), Section 22., The Planning Act, to provide for the adoption of 'ADDENDUM NO. 1, PHASE III: THE THIRD PRIORITY ACTIONS' excluding the Gateway Treatment of the Downtown Hamilton Action Plan, appended hereto as Appendix "E".
- iii) That pursuant to first and second reading of the amending by-law to which reference is made in (i), above, the Director of Community Development be authorized and directed to submit ADDENDUM No. 1 to The Minister of Municipal Affairs for approval;
- iv) That the Finance Committee be requested to recommend to City Council the financing of Phase III-B in the estimated gross cost of one million, three hundred thousand dollars (\$1 300 000.), in general accordance



with Section 14., The SECOND REPORT for 1986 of The Finance Committee, referred-back by City Council at its meeting held 1986 January 14; and,

- v) That the Mayor and City Clerk be hereby authorized to subsequently execute the Provincial/Municipal Implementation Agreement with the Minister of Municipal Affairs, pursuant to the approval of the Ontario Municipal Board (O.M.B.).

**EXPLANATORY NOTE:**

For the information of the members of City Council, the City of Hamilton has been allocated four hundred thousand dollars (\$400 000.) by the Province of Ontario to assist in implementing Phase III of the Downtown Hamilton Action Plan. In order to avail ourselves of these moneys, it is required that the Phase III implementation measures be adopted in a Redevelopment Plan and an Implementation Agreement be executed with the Minister of Municipal Affairs.

Phase III of the Downtown Hamilton Action Plan as amended includes the following:

- a) "Typical Treatment" (i.e., new, decorative sidewalk paving; burial of overhead, physical plant; pedestrian-scale lighting with banners on poles; and, benches and litter containers) to the following streets:
    - Hughson, from Main to King William;
    - John, from Main to King William; and,
    - King William, from John to Catharine
  - b) "Partial Treatment" - including tree planting, banners on existing and new poles and, benches and litter containers -will be implemented, where physically possible, on all other streets within the Study Area having discontinuous retain frontage and/or, etc.); specifically: Rebecca, King William, Main, Hughson, John, Catharine, Mary, Walnut, Ferguson, Jarvis, Spring and, Wellington.
13. a) That the elements of the Typical Treatment streetscape design utilized on James Street North, and South, pursuant to Phase II of the Downtown Hamilton Action Plan, be approved for implementation - as proposed by Dover Park Development Corporation - on King and James Streets within the limits of Phase I of the new Canadian Imperial Bank of Commerce development;

- b) That at such time as the Canadian Imperial Bank of Commerce Phase II lands are redeveloped, the Typical Treatment abutting the Phase I lands be continued on King Street West from the western limit of Phase I to MacNab Street; and,
- c) That the temporary development of the Phase II lands, for parking purposes, provide for a high-quality buffering/landscaping treatment.

**EXPLANATORY NOTE:**

In adopting Section 13, the SECOND Report for 1986 of the Planning and Development Committee, City Council at its meeting held 1986 January 14 concurred in the committee's resolve that.....

.....the streetscape design on both sides on King Street West from James to Bay Street be reviewed in light of the proposed construction of two office towers by Dover Park Development Corporation and in view of creating a connection between Jackson Square, the Dover Park Towers and other downtown streetscape design.

In this regard, Dover Park Development Corporation proposes to continue those elements of the City's Phase II, Downtown Hamilton Action Plan streetscape on James Street, north on James Street and west along King Street to encompass the limits of Phase I of the Canadian Imperial Bank of Commerce development.

With minor modification to the direction in which the control and dummy joints align - so as to relate to and compliment the angular facade of the new building - the new sidewalk will be of broom-finished concrete, with a boulevard of concrete unit pavers in which would be located street trees, benches and litter containers.

The Downtown Action Plan Co-ordinating Committee and the Planning and Development Committee concurs in the design proposal put forward by Dover Park and further would recommend the continuation of this treatment west to MacNab Street at such time as the Phase II lands are redeveloped.

The Planning and Development Committee at its meeting held 1986 January 29 agreed to recommend to the Capital Budget Committee that an amount of \$80,000 be provided within the 1986-1990 Capital Budget for the Downtown Hamilton Action Plan to finance the cost of improvements north on James Street and West along King Street.

14. a) That in accordance with Schedule A attached hereto as **APPENDIX "F"**, the 1986 operating budget of the Westdale Business Improvement Area (B.I.A.) be approved in the amount of (\$13,000).
- b) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217., The Municipal Act, R.S.O. 1980, to levy the 1986 budget as referenced in (a), above; and,
- c) That the Schedule of Payments - 1986, attached hereto as **APPENDIX "G"** be approved.
- d) That the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the Westdale Village Business Improvement Area (B.I.A.) on King Street West from Sterling Street to the east leg of Cline Street, as approved by City Council 1985 December 10 (By-law No. 86-030) in accordance with **APPENDIX "H"** attached.
15. a) That in accordance with Schedule "A" attached hereto as **APPENDIX "I"**, the 1986 operating budget of the Ottawa Street North Business Improvement Area (B.I.A.) be approved in the amount of seventy-five thousand dollars (\$75,000).
- b) That the City Solicitor be hereby authorized and directed to prepare the requisite by-law pursuant to Section 217., The Municipal Act, R.S.O. 1980, to levy the 1986 budget as referenced in (a) above; and,
- c) That the Schedule of Payments - 1986 attached hereto as **APPENDIX "J"** be approved.
- d) That the City Solicitor be hereby authorized and directed to prepare a by-law to appoint the Board of Management of the Business Improvement Area (B.I.A.) on Ottawa Street North from Main to Barton Streets as approved by City Council 1985 December 10 (By-law No. 86-031), in accordance with **APPENDIX "K"** attached.
16. That the Corporation of the City of Hamilton accept the sum of \$19,755.70 as cash payment in lieu of 5% dedication in connection with "Aspen Estates - Phase 4", Hamilton.

**NOTE:**

These lands are located east of Upper Wentworth Street between Stone Church Road East and Southpark Avenue in the Rushdale Neighbourhood, Hamilton.



17. a) That the procedures approved by City Council on 1985 January 08 for the Designated Property Grant Program be approved as the procedures for the Community Heritage Fund Programme.
- b) That the owners of LACAC's "Priority List Properties" be given first opportunity to apply for the heritage loans in order to direct assistance to the City's most significant architecture.
- c) That a target of approximately 20 new individual designations, 1 or 2 district designations, and 40 heritage loans and/or grants be processed for 1986.

**EXPLANATORY NOTE:**

City Council on 1985 January 08 approved the Community Heritage Fund Programme, a revolving loan programme, totalling \$441,666 of which the Province's contribution is \$250,000.

In order to be eligible for funding, all buildings must be designated under the Ontario Heritage Act and subject to accepted conservation principles.

18. a) That approval be given to the "Intent to Designate" the property of Castle Deane at 233-235 Locke Street North as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

**EXPLANATORY NOTE:**

Attached as APPENDIX "L" is a copy of a report prepared for LACAC which contains the "Reasons for Designation". The committee wishes to advise that the property owner Andre Tasse has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

19. a) That approval be given to the "Intent to Designate" the property of Christ's Church Cathedral at 252 James Street North, as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.



- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

**NOTE:** Attached as APPENDIX "M" is a copy of a report prepared for LACAC which contains the "Reasons for Designation." The Committee wishes to advise that Christ's Church Cathedral has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

- 20.
- a) That approval be given to the "Intent to Designate" the property of Christ's Church Cathedral Schoolhouse at 252 James Street North as a building of historical and architectural value, pursuant to the provisions of the Ontario Heritage Act, 1983.
- b) That the City Solicitor be authorized and directed to take appropriate action to have this property designated pursuant to the provisions of the Ontario Heritage Act, 1983.

**EXPLANATORY NOTE:**

Attached as APPENDIX "N" is a copy of the report prepared for LACAC which contains the "Reasons for Designation". The committee wishes to advise that Chirst's Church Cathedral has requested designation of this property. Designation is a pre-requisite for municipal and provincial heritage funding programs.

21. That leave be granted to introduce the following Bills:

Bill D-10                      By-law to Amend Zoning By-law No. 6593  
Respecting Lands Located on the West Side  
of Upper Paradise Road, in the Area South  
of Gosford Drive.

Bill D-11                      By-law to Amend Zoning By-law No. 6593  
Respecting Lands Located on the North Side  
of Loconder Drive, Between Upper Gage  
Avenue and Rexford Drive.

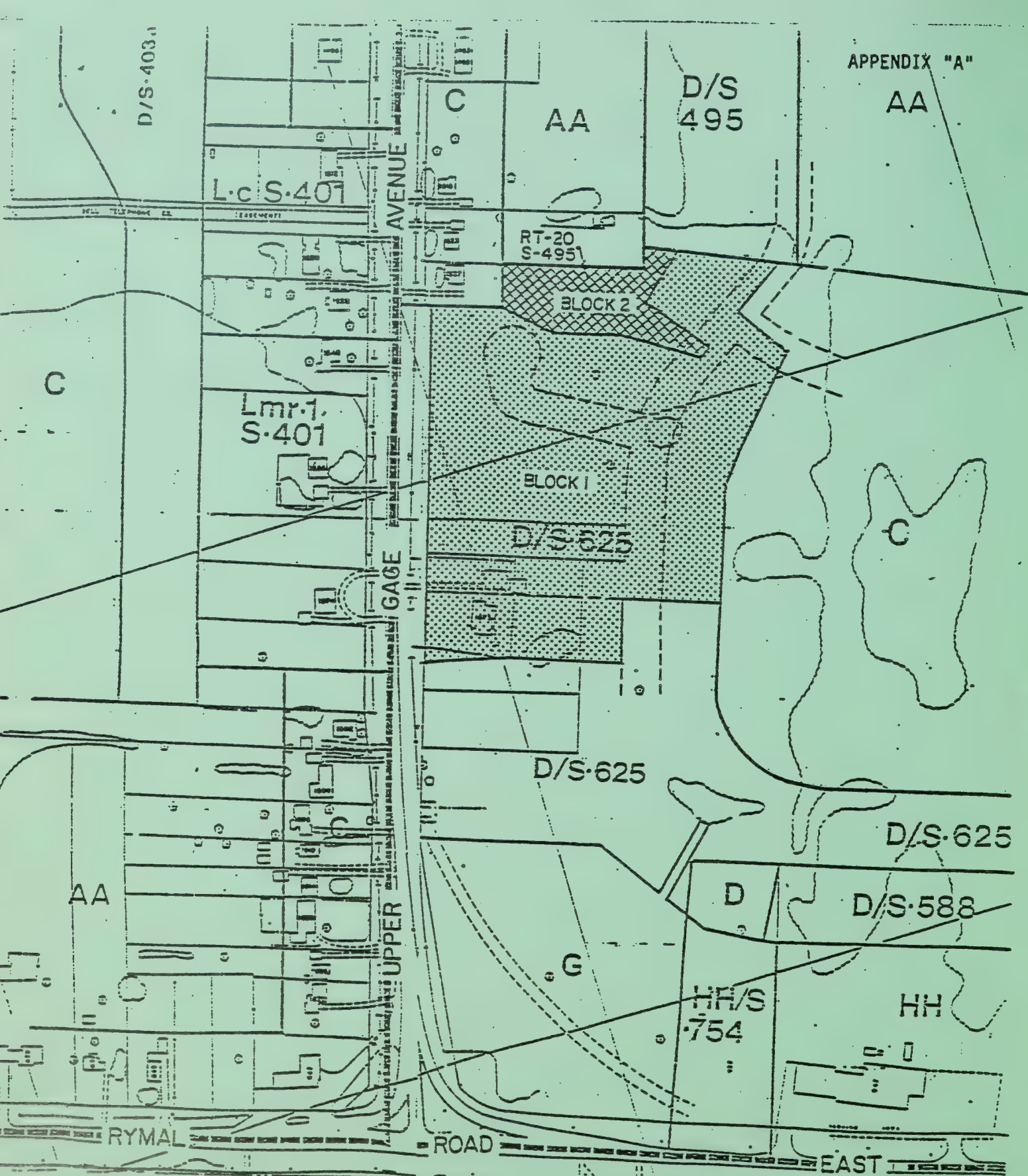
Bill D-12

By-law to Amend Zoning By-law No. 6593  
Respecting Land Located at Municipal No.  
924 Upper Wentworth Street.

Respectfully submitted,

Alderman John Smith, Chairman  
Planning & Development Committee

John D. Thompson, Secretary,  
Planning and Development Committee



APPENDIX "A"

AA

D/S  
495

AA

D/S-403

L.C. S-401

AVENUE

RT-20  
S-495

BLOCK 2

Lmr-1  
S-401

BLOCK 1

D/S-625

GAGE

D/S-625

D/S-625

AA

D

D/S-588

G

HH/S  
754

HH

RYMAL

ROAD

EAST

BLOCK 1

Change in Zoning from "D" (Urban Protected Residential - One and Two Family Dwellings etc.) District to "C" (Urban Protected Residential, etc.) District

BLOCK 2

Change in Zoning from "RT-20" (Townhouse-Maisonette) District to "D" (Urban Protected Residential, etc.) District

Appendix "A" as referred to in Item B(a) of the Fourth Report for 1986 of the Planning & Development Committee





SITE OF THE APPLICATION

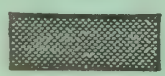
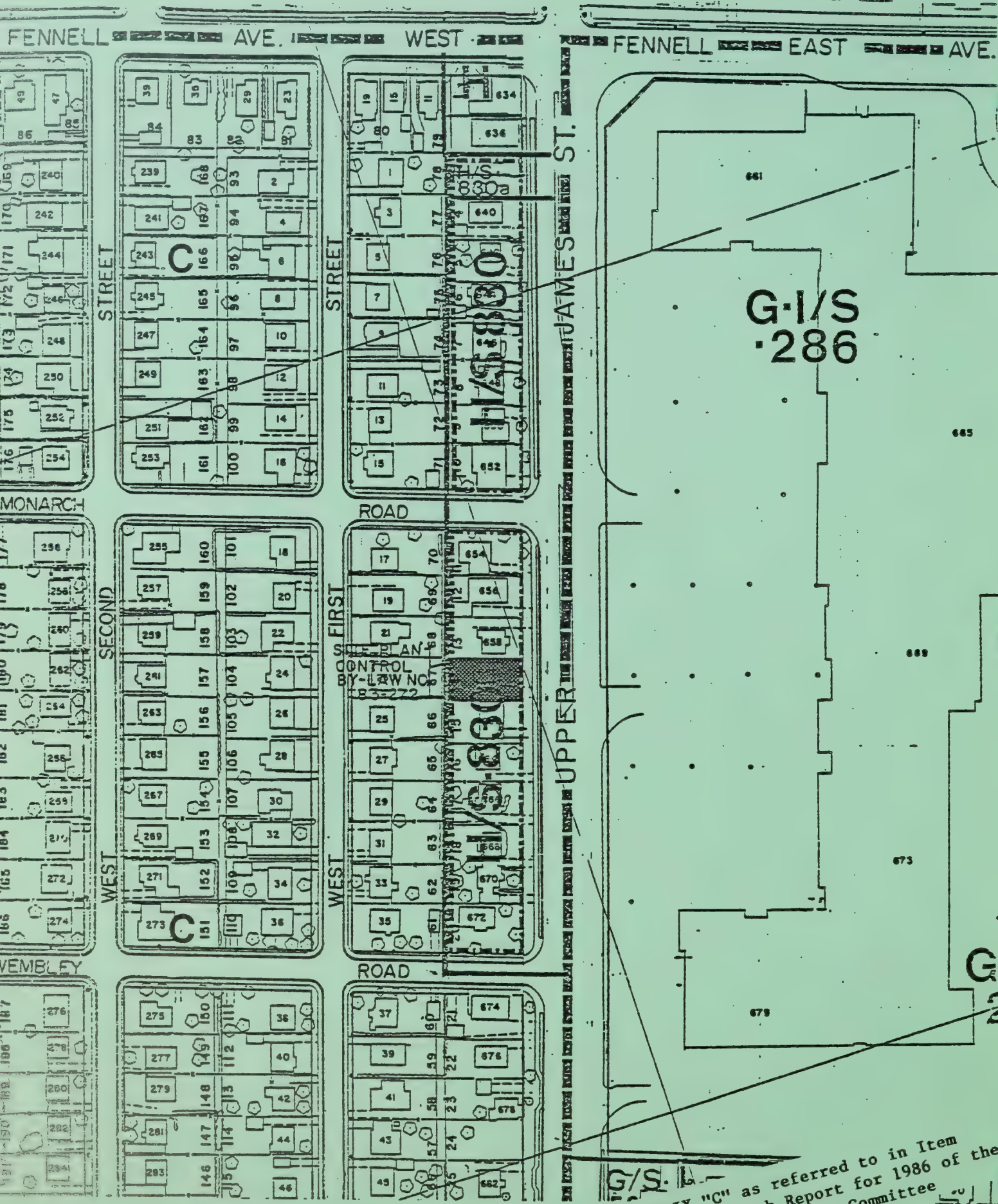
D-19

APPENDIX "B" as referred to in Item 2A of the Fourth Report of the Planning and Development Committee for 1986

ZA 85-102

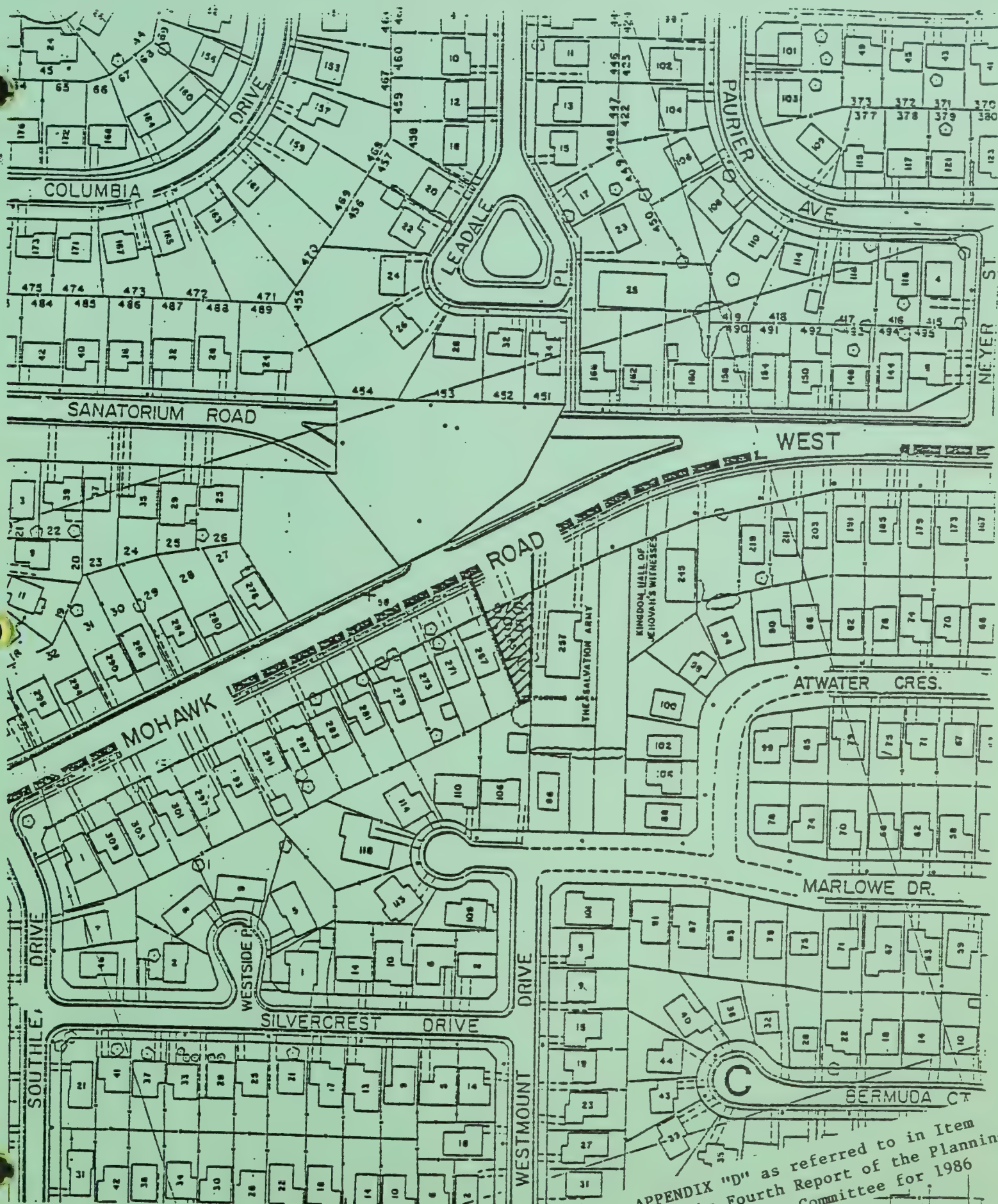






SITE OF THE APPLICATION





APPENDIX A

D-21



SITE OF THE APPLICATION

APPENDIX "D" as referred to in Item 4 of the Fourth Report of the Planning and Development Committee for 1986

2485-99



DOWNTOWN HAMILTON  
ACTION PLAN:  
PHASE II REDEVELOPMENT  
PLAN

ADDENDUM #1  
PHASE III : THE THIRD  
PRIORITY ACTIONS

CORPORATION OF  
THE CITY OF HAMILTON,  
1985 DECEMBER

APPENDIX "E" as referred to in Item  
12(ii) of the Fourth Report for 1986 of  
the Planning & Development Committee

DOWNTOWN HAMILTON  
ACTION PLAN:  
PHASE II REDEVELOPMENT PLAN

ADDENDUM #1  
PHASE III: THE  
THIRD PRIORITY ACTIONS

INTRODUCTION:

BACKGROUND AND DESIGN OBJECTIVES

AS OUTLINED IN THE REDEVELOPMENT PLAN, RELATIVE TO THE SCHEDULING OF THE FOUR TYPES OF STREETScape IMPROVEMENT, PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, SCHEDULED FOR IMPLEMENTATION IN 1986, PRESENTLY INCLUDES 'TYPICAL TREATMENT' (I.E., NEW, DECORATIVE SIDEWALK PAVING; BURIAL OF OVERHEAD, PHYSICAL PLANT; PEDESTRIAN-SCALE LIGHTING WITH BANNERS ON POLES; AND, BENCHES AND LITTER CONTAINERS) TO THE FOLLOWING STREETS:

- HUGHSON, FROM MAIN  
TO KING WILLIAM;
- JOHN, FROM MAIN  
TO KING WILLIAM; AND,
- KING WILLIAM, FROM  
JOHN TO CATHARINE



IN ADDITION, 'PARTIAL TREATMENT' - INCLUDING TREE PLANTING, BANNERS ON EXISTING AND NEW POLES AND, BENCHES AND LITTER CONTAINERS - WILL BE IMPLEMENTED, WHERE PHYSICALLY POSSIBLE, ON ALL OTHER STREETS WITHIN THE STUDY AREA HAVING DISCONTINUOUS RETAIL FRONTAGE AND/OR, WHERE NO BUILDINGS OCCUR AT ALL (I.E., VACANT LOTS, PARKING LOTS, ETC.); SPECIFICALLY: REBECCA, KING WILLIAM, MAIN, HUGHSON, JOHN, CATHARINE, MARY, WALNUT, FERGUSON, JARVIS, SPRING AND, WELLINGTON.

#### APPOINTMENT OF DESIGN CONSULTANTS

BASED UPON PREVIOUS EXPERIENCE; INTER-FACE WITH PRIOR PHASES AND OTHER FEATURES OF THE TOTAL PROJECT (I.E., PHASES I AND II); FEES; AND, ASSIGNED STAFF, CITY COUNCIL, AT ITS MEETING HELD 1985 AUGUST 27, IN ADOPTING SECTION 24., THE TWENTY-FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, APPROVED:

'THAT THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, BE RETAINED TO PREPARE THE DESIGN, IMPLEMENTATION DRAWINGS, SPECIFICATIONS, TENDER FORMS AND, OTHER INFORMATION NECESSARY FOR THE CITY OF HAMILTON TO OBTAIN COMPETITIVE TENDERS FOR THE PHASE III EXTENSION OF THE DOWNTOWN ACTION PLAN, IN ACCORDANCE WITH (THE ARCHITECT'S) WRITTEN PROPOSAL DATED 1985 JUNE 24...'

THE THIRD PHASE BEING AN EXTENSION OF THE FIRST AND SECOND PHASES AND, IN ORDER TO PROVIDE DESIGN CONTINUITY AND MAINTAIN THE ALREADY ESTABLISHED, HIGH LEVEL OF TECHNICAL CO-ORDINATION WITH GOVERNMENT AND UTILITY OFFICIALS, IT WAS BOTH LOGICAL AND REASONABLE TO FURTHER RETAIN THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY.

#### STUDY APPROACH

FROM THEIR MOST RECENT APPOINTMENT BY CITY COUNCIL (I.E., 1985 AUGUST 27) UP TO, AND INCLUDING THE PRESENT, THE CONSULTANT HAS UTILIZED THE FOLLOWING, BASIC STUDY APPROACH:

- BASED ON THE GENERAL, CONCEPTUAL FRAMEWORK OF THE DOWNTOWN HAMILTON ACTION PLAN, DU TOIT ASSOCIATES, LTD.; SUBSEQUENT AND ONGOING REVIEW OF PUBLIC-TRANSIT AND, TRAFFIC RELATED ISSUES; A THOROUGH UNDERSTANDING OF THE CONCERNS OF BOTH THE BROADER, AND IMMEDIATE COMMUNITY; AND, A REVIEW OF PROPOSALS WITH MR. R. DU TOIT, A SCOPE-OF-WORK AND CONCEPT PLANS WERE DEVELOPED FOR ALL OTHER STREETS WITHIN THE STUDY AREA.

THESE CONCEPT PLANS WERE SUITABLE FOR INTERNAL, TECHNICAL DISCUSSION AND, WITH BASIC REFINEMENT, SUITABLE FOR PUBLIC REVIEW. PLANNING/DESIGN MEETINGS WERE HELD BI-WEEKLY WITH THE DOWNTOWN ACTION PLAN CO-ORDINATING COMMITTEE OF THE PLANNING AND DEVELOPMENT COMMITTEE; WHICH FORMER COMMITTEE INCLUDES REPRESENTATION FROM THE DOWNTOWN BUSINESS IMPROVEMENT AREAS (B.I.A.'s).

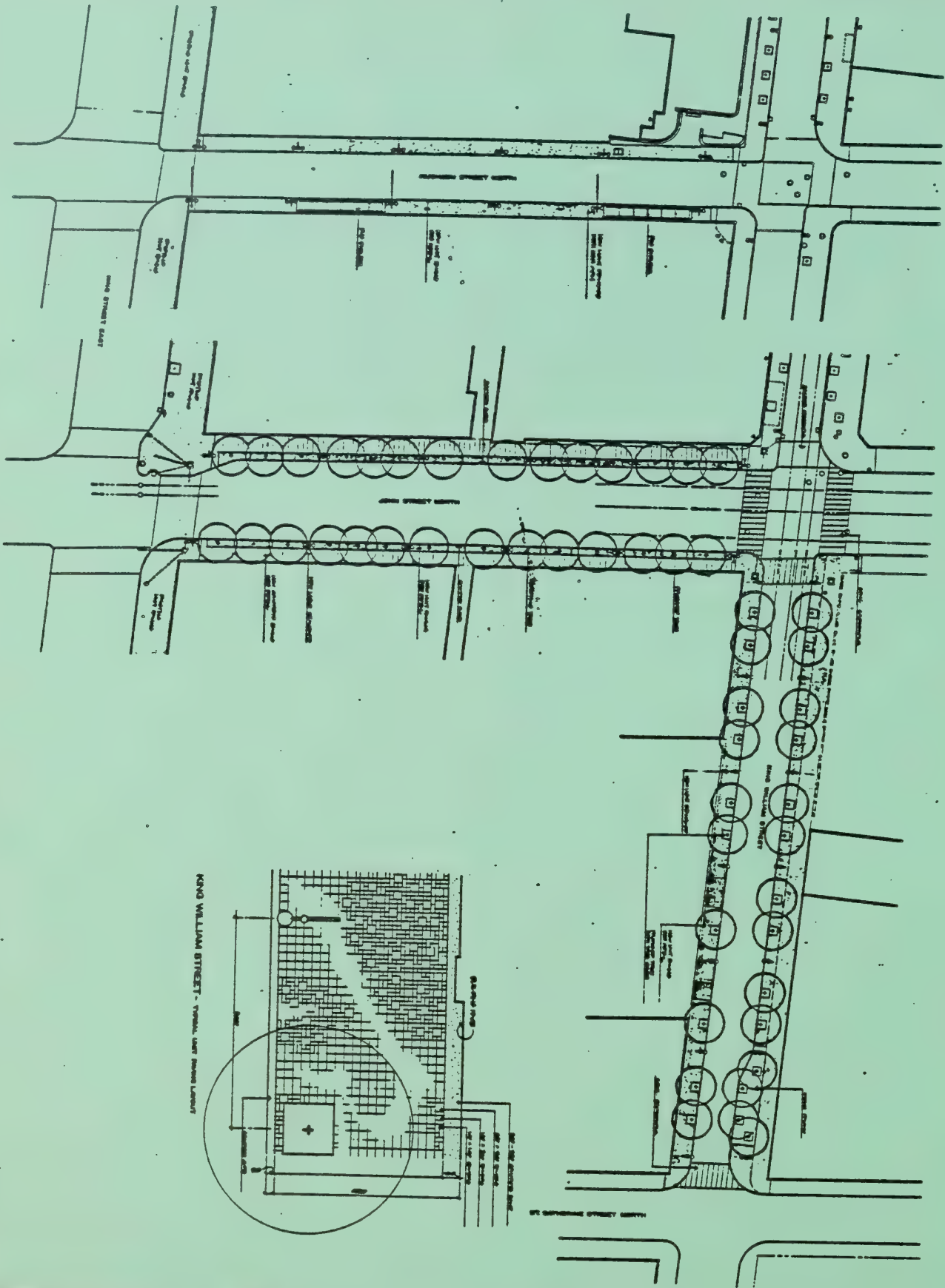
- IN ADDITION TO APPRECIATING THE NEEDS AND SENSITIVITIES OF EFFECTED BUSINESSES AND OWNER, IT HAS BEEN CRITICAL TO UNDERSTAND THE IMPLICATIONS OF STREET AND UTILITY UPGRADING AND, TO LIAISE WITH APPROPRIATE STAFF OF THE AREA AND REGIONAL MUNICIPALITY; AND, THE VARIOUS 'UTILITIES' (E.G., HYDRO-ELECTRIC, GAS AND, TELEPHONE).

- SPECIFICALLY, THE SCOPE OF WORK GENERALLY INCLUDES:
  - CHANGES TO CURB ALIGNMENTS AS APPROPRIATE AND ACCEPTABLE.
  - RELOCATION OF UTILITIES.
  - SIDEWALK PAVING AND DESIGN.
  - PEDESTRIAN-SCALE LIGHTING ('TYPICAL TREATMENT').
  - STREET FURNITURE (BENCHES, LITTER CONTAINERS, INFORMATION KIOSKS, BICYCLE RACKS, ETC.).
  - TREE AND SHRUB PLANTINGS.
  - OTHER SITE FEATURES, AS APPROPRIATE.
- THE REVIEW PROCESS WITH STAFF AND, INPUT FROM THE BUSINESS COMMUNITY TO CULMINATE WITH AN ACCEPTABLE, DETAILED DESIGN PLAN INDICATING AN AGREED-UPON ARRANGEMENT OF THE ABOVE CONSIDERATIONS.
- THE COUNCIL-APPROVED DESIGN PLANS TO BE DEVELOPED INTO IMPLEMENTATION DRAWINGS, SUITABLE FOR TENDERING, WITH FULL CO-ORDINATION RELATED TO MUNICIPAL, AND OTHER PUBLIC UTILITY REQUIREMENTS.

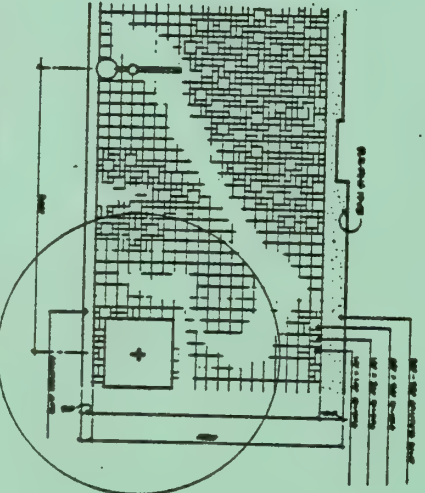
## IMPLEMENTATION

AS TO THE STREETScape IMPROVEMENT TO ALL OTHER STREETS WITHIN THE STUDY AREA - DESCRIBED, GENERALLY, IN THE 'INTRODUCTION: BACKGROUND AND DESIGN OBJECTIVES' - APPENDED HERETO AS APPENDIX 'A', DATED 1985 NOVEMBER 28, ARE DRAWINGS S1 AND S2 SHOWING, SCHEMATICALLY, THE PROPOSED ALTERATIONS TO HUGHSON AND JOHN STREETS, BETWEEN MAIN AND KING WILLIAM AND, KING WILLIAM STREET, BETWEEN JOHN AND CATHARINE. FURTHER APPENDED HERETO, AS APPENDIX 'B', AND, ALSO DATED 1985 NOVEMBER 28, ARE THE ELEMENTS AND COST ESTIMATES FOR IMPLEMENTATION OF THE STREETScape IMPROVEMENTS OF PHASE III.

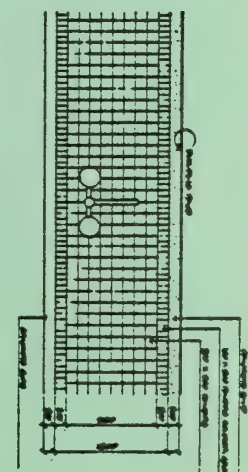
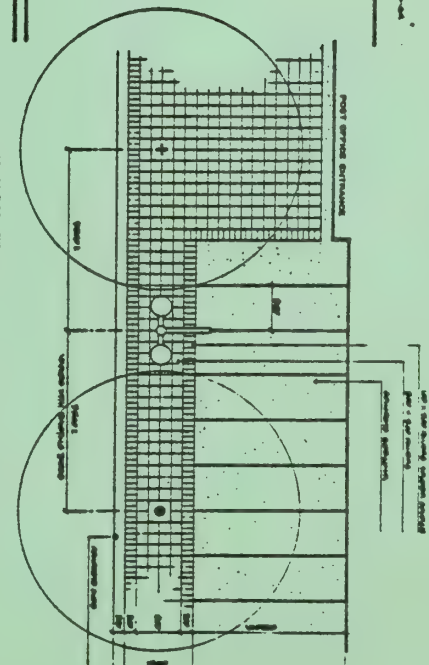
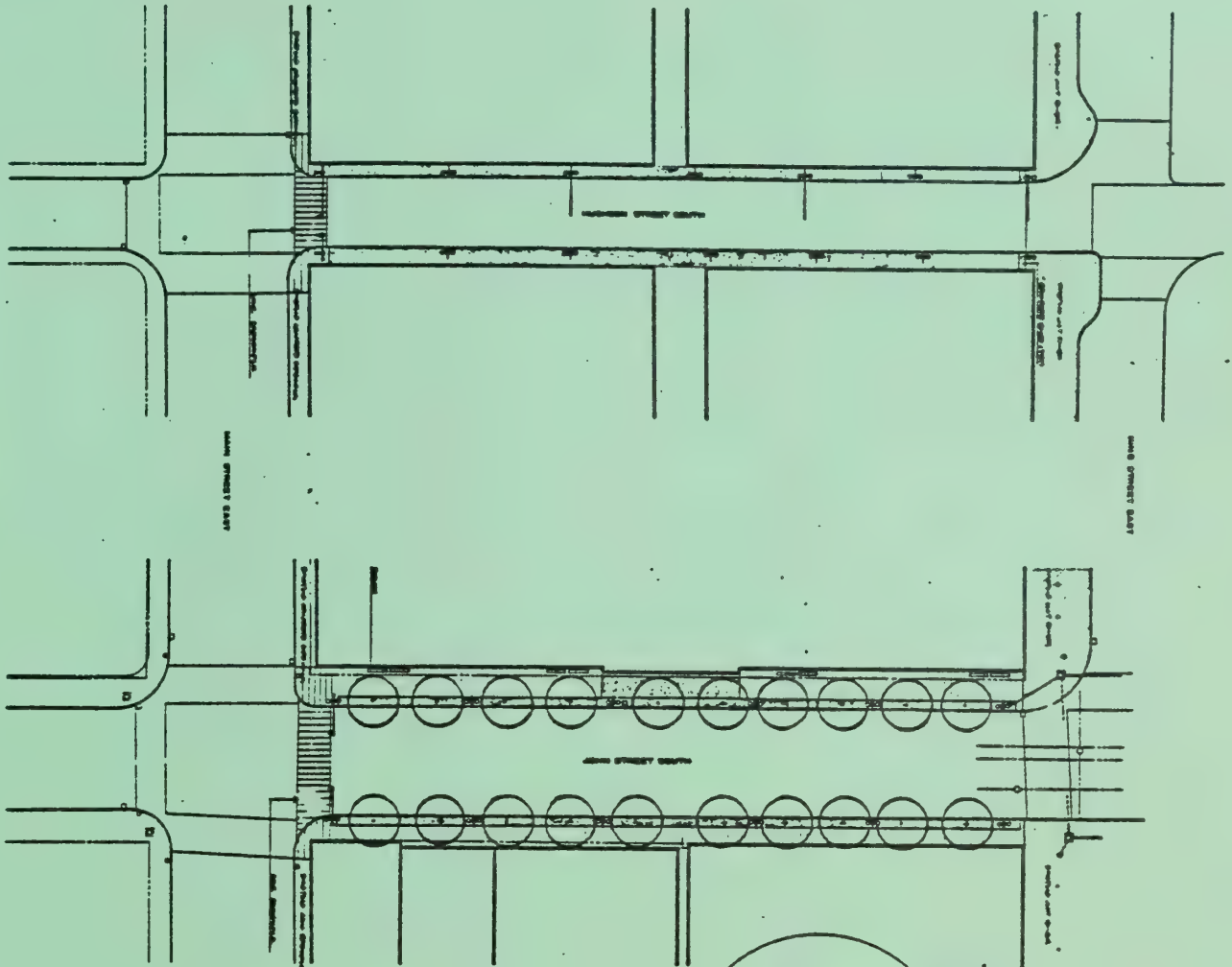




KING WILLIAM STREET - SYMBOLS, LAYOUT, PLANTING LAYOUT



<p><b>NOTES</b></p> <p>1. All work to be done in accordance with the specifications and standards of the City of Hamilton.</p> <p>2. All work to be done in accordance with the standards of the Ontario Society of Professional Engineers.</p> <p>3. All work to be done in accordance with the standards of the American Society of Professional Engineers.</p> <p>4. All work to be done in accordance with the standards of the International Association of Professional Engineers.</p>		<p><b>REVISIONS</b></p> <table border="1"> <tr> <th>No.</th> <th>Description</th> <th>Date</th> </tr> <tr> <td>1</td> <td>Initial Design</td> <td>10/1/88</td> </tr> <tr> <td>2</td> <td>Final Design</td> <td>10/1/88</td> </tr> </table>	No.	Description	Date	1	Initial Design	10/1/88	2	Final Design	10/1/88
No.	Description	Date									
1	Initial Design	10/1/88									
2	Final Design	10/1/88									
<p><b>PROJECT INFORMATION</b></p> <p>Project Name: Downtown Hamilton Streetscape Phase IIIb</p> <p>Project Location: Downtown Hamilton, Ontario</p> <p>Project Owner: City of Hamilton</p> <p>Project Manager: [Name]</p> <p>Project Engineer: [Name]</p> <p>Project Designer: [Name]</p> <p>Project Date: 10/1/88</p> <p>Project Scale: 1:100</p> <p>Project Status: Final Design</p> <p>Project Notes: [Notes]</p>											
<p><b>DESIGNER INFORMATION</b></p> <p>Design Firm: [Name]</p> <p>Design Address: [Address]</p> <p>Design Phone: [Phone]</p> <p>Design Fax: [Fax]</p> <p>Design Email: [Email]</p> <p>Design Website: [Website]</p>											



JOHN STREET - TYPICAL UNIT FLOOR LAYOUT

HADISON STREET - (FIVE) 1957 FORD LINCOLN

[illegible]

4400th and  
5400th  
Coburn  
Mr. J. H. H.

Lutz Preuss, Editor  
 Product Development  
 3200 14th Street  
 Irvine, CA 92614  
 949.261.1417  
 949.261.1423

Downtown, Hartford Action Plan <b>Streetscape          Phase IIIB</b> Hartford, October Playroom Street, South/ Main Street South Concept Plan	Scale 1:200 m Date Nov. 1996 Drawn B.D. Approved Project No. 4443 Client: Project No.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------

HAMILTON PHASE IIIB

COST ESTIMATE

November 28, 1985

PARTIAL TREATMENT

	Quantity	Unit	Unit Cost	Total Cost
1. Spring				
a) banners c/w poles	2	ea.	\$1,500.00	\$ 3,000.00
b) banners	1	ea.	150.00	150.00
2. Ferguson (King to Main)				
a) asphalt demolition	340	sq.m.	13.00	4,420.00
b) new curb	170	m	40.00	6,800.00
c) concrete walk	340	sq.m.	35.00	11,900.00
d) banners with poles	2	ea.	1,500.00	3,000.00
e) banners	2	ea.	150.00	300.00
3. Ferguson (King to King William)				
a) trees	27	ea.	1,100.00	29,700.00
b) banners	5	ea.	150.00	750.00
4. Walnut (King to Main)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	2	ea.	150.00	300.00
5. Walnut (King to King William)				
a) trees	14	ea.	1,100.00	15,400.00
b) banners	5	ea.	150.00	750.00
6. Catherine (King to Main)				
a) banners c/w poles	3	ea.	1,500.00	4,500.00
b) banners	1	ea.	150.00	150.00
7. Catherine (King to King William)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
8. John (King William to Rebecca)				
a) Trees	13	ea.	1,100.00	14,300.00
b) banners c/w poles	3	ea.	1,500.00	4,500.00
c) banners	4	ea.	150.00	600.00
9. Hughson (King William to Rebecca)				
a) banners c/w poles	4	ea.	1,500.00	6,000.00
b) banners	6	ea.	150.00	900.00
10. Rebecca (James to Hughson)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
11. Rebecca (Hughson to John)				
a) trees	25	ea.	1,100.00	27,500.00
b) banners c/w poles	2	ea.	1,500.00	3,000.00
c) banners	2	ea.	150.00	300.00



-2-

	Quantity	Unit	Unit Cost	Total Cost
12.Main (Bay to Wellington)				
a) banners	37	ea.	150.00	5,550.00
13.York (Bay to James)				
a) banners	14	ea.	150.00	2,100.00
14.McNab (King to Main)				
a) banners	6	ea.	150.00	900.00
15.King William (John to Wellington)				
a) banners	20	ea.	150.00	3,000.00
16.Wellington (King William to Main)				
a) banners	7	ea.	150.00	1,050.00
17.Jarvis (King William to King)				
a) banners	7	ea.	150.00	1,050.00
18.King at Ferguson				
a) paving at tracks	1	lump sum	10,000.00	10,000.00
Subtotal				171,770.00

FULL TREATMENT

Hughson (King to Main St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	350	sq.m.	8.00	2,800.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. concrete crosswalk	36	sq.m.	60.00	2,160.00
9. light poles	9	ea.	3,000.00	27,000.00
10. traffic poles	1	ea.	5,000.00	5,000.00
11. HSR poles	3	ea.	6,000.00	18,000.00
12. ducting & miscellaneous	185	m	25.00	4,625.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	12	ea.	100.00	1,200.00
Subtotal				114,137.50



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	Quantity	Unit	Unit Cost	Total Cost
Hughson (King to King William St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	390	m	8.00	3,120.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. bus shelters	28	m	1,500.00	42,000.00
9. light poles	9	ea.	3,000.00	27,000.00
10. HSR poles	3	ea.	6,000.00	18,000.00
11. ducting & miscellaneous	170	m	25.00	4,250.00
12. banners	10	ea.	100.00	10,000.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00

Subtotal

157,595.00

John St. (King to Main)				
1. asphalt removal	180	sq.m.	13.00	2,340.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	760	sq.m.	8.00	6,080.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	185	m	40.00	7,400.00
7. concrete unit paving	250	sq.m.	45.00	11,250.00
8. concrete paving	510	sq.m.	38.00	19,380.00
9. concrete crosswalk	60	sq.m.	60.00	3,600.00
10. light poles	10	ea.	3,000.00	30,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & miscellaneous	180	m	25.00	4,500.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	10	ea.	100.00	1,000.00
15. benches	8	ea.	600.00	4,800.00
16. trees	5	ea.	450.00	2,250.00

Subtotal

130,172.50

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	Quantity	Unit	Unit Cost	Total Cost
<b>John St. (King to King William)</b>				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	615	sq.m.	8.00	4,920.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	205	sq.m.	45.00	9,225.00
8. concrete paving	410	sq.m.	38.00	15,580.00
9. concrete crosswalk	112	sq.m.	60.00	6,720.00
10. light poles	8	ea.	3,000.00	24,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & misc.	170	m	25.00	4,375.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	8	ea.	100.00	800.00
15. trees	23	ea.	450.00	10,350.00
<b>Subtotal</b>				<b>121,645.00</b>
<b>King William (John to Catherine)</b>				
1. asphalt removal	355	sq.m.	13.00	4,615.00
2. curb removal	215	m	8.50	1,827.50
3. sidewalk removal	620	sq.m.	8.00	4,960.00
4. pole removal	7	ea.	200.00	1,400.00
5. new asphalt	125	sq.m.	40.00	5,000.00
6. new curb	215	sq.m.	40.00	8,600.00
7. concrete unit paving	750	sq.m.	45.00	33,750.00
8. stone paving	55	sq.m.	140.00	7,700.00
9. road repaving	1	lump sum	65,000.00	65,000.00
10. concrete crosswalk	80	sq.m.	60.00	4,800.00
11. light poles	12	ea.	3,000.00	36,000.00
12. traffic poles	2	ea.	5,000.00	10,000.00
13. ducting & misc.	205	m	25.00	5,125.00
14. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
15. banners	12	ea.	100.00	1,200.00
16. trees	24	ea.	450.00	10,800.00
17. tree grates	24	ea.	250.00	6,000.00
18. benches	2	ea.	600.00	1,200.00
<b>Subtotal</b>				<b>227,977.50</b>

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SUMMARY

1.	Partial Treatment	\$ 171,770.00
2.	Hughson (K to M)	\$ 114,137.50
3.	Hughson (K to KW)	\$ 157,595.00
4.	John (K to M)	\$ 130,172.50
5.	John (K to KW)	\$ 121,645.00
6.	King William (John to Catherine)	\$ 227,977.50
		<hr/>
	Total	\$ 923,297.50
	10% Contingency	\$ 92,329.75
		<hr/>
	Grand Total	\$1,015,627.25
		<hr/>

COMMERCIAL AREA IMPROVEMENT  
PROGRAMME (C.A.I.P.):

PROVINCIAL/MUNICIPAL COST-SHARING

WITH THE DECISION OF CITY COUNCIL TO INCLUDE, IN THE 1985-1989 CAPITAL BUDGET, PROVISION TO IMPLEMENT PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, CITY COUNCIL AT ITS MEETING HELD 1985 FEBRUARY 26, IN ADOPTING SUB-SECTION (D), SECTION 14., THE FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED AND DIRECTED THAT APPLICATION BE MADE, TO THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING, SEEKING FINANCIAL ASSISTANCE PURSUANT TO THE PROVISIONS OF THE COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.) RELATIVE TO THE PHASE III IMPLEMENTATION MEASURES.

SUBSEQUENTLY, BY LETTER DATED 1985 APRIL 19, THE THEN MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, THE HONOURABLE DENNIS R. TIMBRELL ADVISED THAT, PURSUANT TO THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1985-86 FISCAL YEAR, THE CITY OF HAMILTON HAD BEEN ALLOCATED FOUR HUNDRED THOUSAND DOLLARS (\$400 000) PURSUANT TO THE PROVISIONS OF THE C.A.I.P.

SCHEDULES I AND II OF THIS APPENDIX PROVIDE, RESPECTIVELY, 'ITEMIZED COST ESTIMATES' AND, A 'C.A.I.P. PROJECT IMPLEMENTATION TIMETABLE AND ESTIMATE OF CASH FLOW', FOR PHASE III ONLY, BASED UPON THE PROVINCIAL ALLOCATION (I.E., \$400 000). CONSEQUENTLY, THE SCHEDULES REFLECT A GROSS PROJECT COST OF ONLY EIGHT HUNDRED THOUSAND DOLLARS (\$800 000), FOR PROVINCIAL ADMINISTRATIVE PURPOSES ONLY.



SCHEDULE 'I'

ITEMIZED COST ESTIMATES					
PROJECT DETAILS	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
KING WILLIAM STREET: DEMOLITION					
1.Asphalt removal	4 615.	2 307.50	2 307.50		2 307.50
2.Curb removal	1 827.50	913.75	913.75		913.75
3.Sidewalk removal	4 960.	2 480.	2 480.		2 480.
KING WILLIAM STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale Lighting	36 000.	18 000.		18 000.	18 000.
2.Trees, c/w Grates	16 800.	8 400.	8 400.		8 400.
3.Sidewalk	41 450.	20 725.	20 725.		20 725.
4.Road Repaving	65 000.	32 500.	32 500.		32 500.
5.Traffic Poles	10 000.	5 000.	5 000.		5 000.
6.New Asphalt	5 000.	2 500.	2 500.		2 500.
7.New Curb	8 600.	4 300.	4 300.		4 300.
8.Concrete crosswalk	4 800.	2 400.	2 400.		2 400.
9.Ducting					
10.Areaway & Misc. Utility adjustment	20 000.	10 000.	10 000.		10 000.
11.banners	1 200.	600.	600.		600.
12.benches	1 200.	600.	600.		600.
HUGHSON STREET: DEMOLITION					
1.Asphalt removal	2 860.	1 430.	1 430.		1 430.
2.Curb removal	3 017.50	1 508.75	1 508.75		1 508.75
3.Sidewalk removal	5 920.	2 960.	2 960.		2 960.
HUGHSON STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale Lighting	54 000.	27 000.		27 000.	27 000.
2.H.S.R. Poles	36 000.	18 000.	18 000.		18 000.
3.Sidewalk	35 100.	17 550.	17 550.		17 550.
4.New Curb	13 600.	6 800.	6 800.		6 800.
5.Traffic Poles (King to Main)	5 000.	2 500.	2 500.		2 500.
6.New Asphalt	4 400.	2 200.	2 200.		2 200.
7.Bus Shelters	42 000.	21 000.	21 000.		21 000.
8.Ducting	4 250.	2 125.	2 125.		2 125.
9.Banners	10 000.	5 000.	5 000.		5 000.
10.Areaways & Misc. Utility adjustments	20 000.	10 000.	10 000.		10 000.
JOHN STREET: DEMOLITION					
1.Asphalt removal	3 370.	1 685.	1 685.7		1 685.
2.Curb removal	3 017.50	1 508.75	1 508.75		1 508.75
Sub-Total	463 987.50	231 993.75	186 993.75	45 000.	231 993.75
Administration (Not to Exceed 15% of the Sub-Total)					
Total					

# ITEMIZED COST ESTIMATES

PROJECT DETAILS	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
(Balance Carried Over)	463 987.50	231 993.75	186 993.75	45 000	231 993.75
JOHN STREET: DEMOLITION CONT'D					
3.Sidewalk removal	6 406.50	3 203.25	3 203.25		3 203.25
JOHN STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale-Lighting	54 000.	27 000.		27 000.	27 000.
2.Trees, c/w Grates	12 600.	6 300.	6 300.		6 300.
3.Sidewalk	20 475.	10 237.50	10 237.50		10 237.50
4.New Curb	14 200.	7 100.	7 100.		7 100.
5.Traffic Poles	5 714.	2 857.	2 857.		2 857.
6.New Asphalt	8 800.	4 400.	4 400.		4 400.
7.Concrete unit paving	28 605.	14 302.50	4 969.50	9 333.	14 302.50
8.Concrete crosswalk	10 320.	5 160.	5 160.		5 160.
9.Traffic poles	15 417.	7 708.50	7 708.50		7 708.50
10.Ducting	8 875.	4 437.50	4 437.50		4 437.50
11.Areaways & other utility adjustments	40 000.	20 000.	20 000.		20 000.
12.Banners	1 800.	900.	900.		900.
13.Benches	4 800.	2 400.	2 400.		2 400.
<b>Sub-Total</b>	<b>696 000.</b>	<b>348 000.</b>	<b>266 667.</b>	<b>81 333.</b>	<b>348 000.</b>
<b>Administration (Not to Exceed 15% of the Sub-Total)</b>	<b>104 000.</b>	<b>52 000.</b>	<b>NIL</b>	<b>52 000.</b>	<b>52 000.</b>
<b>Total</b>	<b>800 000.</b>	<b>400 000.</b>	<b>266 667.</b>	<b>133 333.</b>	<b>400 000.</b>

SCHEDULE 'II'

[illegible]

(1) April 1 - June 30; (2) July 1 - Sept. 30; (3) October 1 - December 31; (4) January 1 - March 31.

SCHEDULE 'A'

WESTDALE VILLAGE

BUSINESS IMPROVEMENT AREA

TOTAL YEAR BUDGET FOR THE BUSINESS YEAR 1986

BIA Funding

Market research	\$ 500
Promotions and Advertising	\$ 5,000
Xmas Promotions and Materials	\$ 3,000
Administration Expense	\$ 2,400
Printing Expense and Office Supplies	\$ 1,000
Audit Expense	\$ 500
Uncollectable Levies	<u>\$ 600</u>
<u>TOTAL</u>	<u>\$13,000</u>

APPENDIX "F" as referred to in Item  
14(a) of the Fourth Report for 1986 of  
the Planning & Development Committee.



SCHEDULE 'B'

WESTDALE VILLAGE  
BUSINESS IMPROVEMENT AREA  
SCHEDULE OF PAYMENTS FOR THE YEAR 1986

February 01	\$5,000.
April 01	\$4,000.
June 01	<u>\$4,000.</u>
TOTAL	<u>\$13,000.</u>

APPENDIX "G" as referred to in Item 14(c)  
of the Fourth Report for 1986 of the  
Planning & Development Committee

WESTDALE  
BUSINESS IMPROVEMENT AREA  
PROPOSED EXECUTIVE BOARD OF MANAGEMENT

President	-	John Pocsai	-	Tulips Cafe
1st Vice-President	-	Ray Fazakas	-	Lawyer
2nd Vice-President	-	Shelagh Snider	-	The Picture Frame
Secretary-Treasurer	-	Mark Crump	-	Bremat Construction
Director	-	Martha Cain	-	Maryan Gifts
Director	-	Shirley Delman	-	Village Bagel
Director	-	Reg Lahie	-	Jack Carruth Shoes
Director	-	Gene Ditner	-	The Cottage Florist
Director	-	C. C. West	-	National Trust
Director	-	G.M. Ujiye	-	Big "V"

OTTAWA STREET NORTH  
BUSINESS IMPROVEMENT AREA OPERATING BUDGET  
TWELVE MONTHS ENDING DECEMBER 31, 1986

BIA FUNDING

Advertising	\$27,500.
Christmas lights	\$ 4,000.
Beautifications	\$10,000.
Parking	\$10,000.
Wage and Benefits	\$12,500.
Office and Stationery	\$ 3,500.
Other	\$ 2,500.
Contingency	\$ 4,000.
Surplus	\$ 1,000.
TOTAL	<u>\$75,000.</u>

APPENDIX "I" as referred to in Item  
15(a) of the Fourth Report for 1986 of  
the Planning & Development Committee

SCHEDULE B

OTTAWA STREET NORTH  
BUSINESS IMPROVEMENT AREA OPERATING BUDGET  
SCHEDULE OF PAYMENTS ON A QUARTERLY BASIS  
FOR THE YEAR 1986

February 01	\$19,000.
May 01	\$19,000.
August 01	\$19,000.
November 01	<u>\$18,000.</u>
TOTAL	<u>\$75,000.</u>

APPENDIX "J" as referred to in Item  
15(c) of the Fourth Report for 1986 of  
the Planning & Development Committee



REASONS FOR DESIGNATION

Christ's Church Cathedral

James Street North

Christ's Church Cathedral, located on James Street North, has served as the cathedral church for the Anglican Diocese of Niagara since 1875 and is considered an important ecclesiastical centre for the Niagara Peninsula.

Built on the site of the first Anglican church in Hamilton (1835), the present cathedral was begun in 1852 with the construction of the east end of the church as designed by William Thomas. The building was brought to completion in 1873-75 when the front facade and west end of the nave were erected under the supervision of architects Langley, Langley & Burke. Subsequently, the only major change to the structure was the rebuilding of the chancel in 1924 where architect W.P. Whitton incorporated the original East Window in the new design.

The Cathedral is a prominent landmark in the city, notable for its 19th century Gothic Revival Style of architecture, stone construction, scale, and quality of design. Set back from the street, the church has an imposing presence on James Street North, and as such, is a major focal point in one of the city's most significant heritage streetscapes. The interior, with its high central nave and elaborate chancel, well illustrates the gothic essence of strong verticality and decorative detailing.

In 1985, the church was awarded a provincial historical plaque in honour of its 150 year history by the Ontario Heritage Foundation.

Of significance to the conservation of Christ's Church Cathedral are:

- (1) the original elements of all four exterior facades, including but not limited to the stone walls and buttresses, tracery windows, doors, chimneys and such decorative features as pinnacles and mouldings
- (2) the original architectural features of the interior of the nave, including chancel and side aisles; namely, the ceilings, piers, walls, pointed arches, tracery windows, stained and painted glass and decorative mouldings
- (3) the wrought iron fence across the front of the property.

APPENDIX "M" as referred to in Item 19 of the Fourth Report for 1986 of the Planning & Development Committee

REASONS FOR DESIGNATION

Christ's Church Cathedral Schoolhouse  
252 James Street North

Located on the north side of Christ's Church Cathedral, the schoolhouse was designed in 1870 by the Hamilton architect William Leith and completed before the Gothic Revival Cathedral was built next door in 1875. The original schoolhouse was articulated by pointed-arched windows and doorway, which were removed by a later enlargement of the building.

Linked together by a recent addition, the schoolhouse is an important part of the church complex, forming the north side of the open forecourt and relating harmoniously to the Cathedral in style, scale and stone construction. In the context of James Street North, the schoolhouse with its characteristic belfry adds considerable architectural interest to this Victorian commercial streetscape, one of the most significant examples of its type in Hamilton.

Of significance to the conservation of Christ's Church Schoolhouse are: the original architectural features of the front (east) and side facades, including but not limited to the stone walls and belfry.

APPENDIX "N" as referred to in Item 20  
of the Fourth Report for 1986 of the  
Planning & Development Committee









## REPORT OF THE LEGISLATION COMMITTEE

To The Council of The Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its FOURTH Report for 1986 and respectfully recommends:

1. That the "Geritol Follies" be granted permission to use the name "Hamilton" for the purposes of incorporation.

NOTE: The Geritol Follies, which celebrated its Tenth Anniversary in 1985, is making application for incorporation and, on the advice of their solicitors, are seeking approval noted above.

2. For the information of the members of City Council, the Legislation Committee has appointed the following members to the Film Advisory Sub-Committee:

Alderman V.J. Agro  
Alderman J. Gallagher  
Mr. R.J. Whynott, Chamber of Commerce  
Mr. L. Russell, Russell T. Kelly Inc.  
Mr. J. Skarratt, Skarratt Productions

3. (a) That the members of the Tax Appeal Review Sub-Committee be appointed on a monthly rotating basis and;  
(b) That the City Clerk be authorized and directed to prepare a draft meeting schedule for 1986 and designate three (3) members of City Council to serve as a members of the Committee on a monthly basis.
4. That permission be granted to the Lithuanian Community to fly its flag 1986 February 7 - 17, to commemorate the independence of Lithuania.
5. That permission be granted to the Kidney Foundation of Canada to fly its flag for the month of March, 1986, which is being proclaimed as Kidney Month.
6. (a) That the City of Hamilton donate six (6) medals, estimated to cost \$450, to the Hamilton Camera Club for its Annual City of Hamilton Competition, and;  
(b) That the Finance Committee be requested to recommend the method of financing.
7. That a civic gold ring be presented to Mr. Eugene Kasaic, who won the Canadian Muzzle Loading Championship in July, 1985.

8. That the following resolution from the City of Windsor not be endorsed.

WHEREAS Section 30 of The Municipal Act establishes the composition of the Council of a City as a number of Aldermen; and

WHEREAS the term "Alderman" is mandated also by Orders of The Ontario Municipal Board which establishes the composition of this Council; and

WHEREAS the term "Alderman" has its origin in centuries old traditions when "elders" and "chiefs" were almost exclusively men, and is inconsistent with the increasing number of women elected to municipal councils; and

WHEREAS Members of Councils of Metropolitan Toronto, Regional Municipalities, Towns, Townships, Villages and Counties are all referred to as Councillors; and

WHEREAS the term Alderman predates the enfranchisement of women as electors and elected officials and there is no feminine form of the word;

THEREFORE BE IT RESOLVED that the Minister of Municipal Affairs and Housing BE PETITIONED to recommend to the Legislature an amendment to the Municipal Act and other applicable Provincial statutes to allow for the substitution of the word "Councillor" for "Alderman/men" where such words appear, and that pending such action, this Council and the Administration cooperate by using the word "Councillor" whenever it is not legally inappropriate to do so, and further, this resolution BE SENT to other Ontario cities for their endorsement and to the Association of Municipalities for support, and further, that the City Solicitor BE INSTRUCTED to petition the Province now for an amendment to the City of Windsor Act to provide for the foregoing to allow the City to proceed with this change in terminology as soon as possible.

9. That the following resolution from the Town of Vaughan be endorsed:

That the Corporation of the City of Hamilton supports the petition of the Town of Vaughan (Ontario) that an immediate review of the Federal Railway Act be undertaken by The Honourable Minister of Transport with a view to eliminating the overriding provisions of the Act with respect to expropriation for railway purposes and further to make amendments to the necessary Act and Regulation to allow affected municipalities recognized status before the Canadian Transport Commission on any matters affecting their jurisdiction as local governments.



10. That the following resolution from the City of Toronto not be endorsed:

WHEREAS voter participation was a dismally low 31.6% in Metro Toronto, 37.45% in the City of Toronto, and equally low in other municipalities across the Province;

AND WHEREAS voting does not begin in municipal elections until 11:00 a.m. as opposed to 9:00 a.m. in federal and provincial elections;

AND WHEREAS bringing the municipal voting hours into line with those in provincial and federal elections is likely to increase voter participation at the municipal level;

THEREFORE BE IT RESOLVED:

1. That the Provincial Government be requested to pass the necessary legislation so that voting hours in municipal elections will be from 9:00 a.m. to 8:00 p.m. as in provincial and federal elections; and
2. That municipalities in Ontario of over 50,000 residents be informed of Council's action so that they may pass similar resolutions.

11. That the following resolution from the City of Kingston be endorsed:

WHEREAS the International Joint Commission (IJC) is a binational body which seeks common solutions to transboundary water problems and has as its mandate to restore and enhance water quality and provide advice to the governments of Canada and the United States; and

WHEREAS the IJC consists of three (3) Canadian and three (3) American Commissioners, with a co-chairman from each country; and,

WHEREAS two of the three Canadian members positions on the IJC are presently vacant; and

WHEREAS in the past two decades the IJC has conducted significant investigations into water and air pollution, lake levels, pollution from land use, diversion of water from the Great Lakes and other aspects of Great Lakes Management; and,

WHEREAS the IJC is perhaps the most significant instrument for finding out facts and making recommendations on Great Lakes issues through the gathering and analysis of scientific data; and,



WHEREAS the water quality of the Great Lakes is important to the City of Kingston in that it affects the health and welfare of the City's residents, the local recreational and tourism opportunities, and contributes to the aesthetic and picturesque quality of the community; and

WHEREAS the Council of the Corporation of the City of Kingston recognizes the valuable role of the IJC in addressing Great Lakes issues;

THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Kingston petition The Honourable Flora Macdonald, M.P. for Kingston and the Islands, and the Federal Minister of the Environment, the Honourable Thomas McMillan, to bring to the attention of the Prime Minister the matter of the two vacant Canadian members positions on the International Joint Commission and encourage him to take the necessary steps to appoint the two Commissioners as soon as possible, and further that, since the nature of the work of the IJC dictates that complex scientific data be collected and analysed, consideration be given to appointing at least one Commissioner with a scientific background.

Respectfully submitted,

Alderman V.J. Agro, Chairman  
Legislation Committee

J.J. Schatz, Secretary  
Legislation Committee  
1986 February 3





## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its **FIFTH** Report for 1986 and respectfully recommends:

1. That By-law 85-99 be amended to provide for the cancellation of all realty and business taxes applicable to the Lakeland Beach Swimming Pool Complex.

**NOTE:** By-law 85-99 amended By-law 75-198 which authorized the cancellation of business and realty taxes respecting Lakeland Beach Swimming Pool.

2. That the cost of approximately \$400 for initial boarding and \$200 per month thereafter, until such time as the Proposed Hamilton Beach Study is completed, for the property at 258 Beach Boulevard, be charged to the Unclassified Expenditure Account 0378-2758.

**NOTE:** City Council, at its meeting of January 28, 1986, by adoption of Item 20 of the Third Report of the Planning and Development Committee, approved of the halting of the demolition of the property at 258 Beach Boulevard until such time as the proposed Hamilton Beach Study is completed.

3. (a) That the City Solicitor be authorized to make application to the Ontario Municipal Board for approval to construct Downtown Action Plan - Phase III B at an estimated cost of \$1 300 000 less eligible subsidies and loans of \$400 000 by the issuance of debentures of \$900 000 for a period not to exceed 15 years recovered by the mill rate levied on all rateable property.
- (b) That application be made to the Regional Municipality of Hamilton-Wentworth to issue debentures in the amount of \$900 000 for a term not to exceed 15 years.
- (c) That the City Solicitor be authorized to make application to the Ontario Municipal Board to rescind Downtown Action Plan - Phase III A, gross cost \$329 000, O.M.B. Order No. #850718, City of Hamilton By-law No. 85-189.



NOTE: For the information of Council, these projects are included in the 1985-1989 Capital Budget as (a) Project No. 33002-D Page 29, to commence in 1986 and (b) Project No. 3302-C Page 29 to commence in 1985.

This item was approved by the Planning and Development Committee on January 29, 1986, and is referred to in Section 12 of the Fourth Report of the Planning and Development Committee.

4. That the cost of providing six medals to the Hamilton Camera Club for its annual City of Hamilton competition, estimated at \$450 be financed from Account No. 0373-1001, Civic Pins, Medals and Rings, allocated to the Legislation Committee.
5. (a) That the Convention/Reception Grants outlined below be approved:
  - i. McMaster University - Men's Athletics in the amount of \$300 to defray the costs of a banquet as part of the Canadian Interuniversity Athletic Union Gymnastics Championships March 7-8, 1986 with approximately 135 participants;
  - ii. McMaster University - Women's Athletics in the amount of \$300 to defray the costs of a banquet as part of the O.W.I.A.A. Ontario Volleyball Championships February 27 - March 1, 1986 with approximately 120-130 participants;
  - iii. Hamilton District Volleyball Council in the amount of \$1 000 to defray the costs of an International Olympic Volleyball Team March 26, 1986 with approximately 2 800 participants;
  - iv. Hamilton and District Five Pin Bowlers' Association in the amount of \$300 to defray the costs of the Ontario Five Pin Bowling Championships March 26-29, 1986 with approximately 600 participants.
  - v. N.B.L. Ontario in the amount of \$3 000 to defray the costs of a BMX Bicycle Competition February 21-23, 1986 with approximately 600 - 1 000 riders.
- (b) That a General One-Time Only Grant to the Hamilton Head Injury Family Support Group in the amount of \$200 to defray the costs of a benefit ringette game March 9, 1986 at Lawfield Arena be approved.
- (c) That the approved grants, with respect to the above, be provided for in the 1986 estimates within the Grant Account No. 0374-XXXX.

6. (a) That orders be placed with the following suppliers on a unit price basis in accordance with specifications issued by the Director of Purchasing and Vendors' tenders, as:

- #1 Mills Lighthouse, Hamilton, approximate value of order \$12 085 plus 7% tax. Terms net 45. Discount off items not listed -60%
- #2 WESCO, Hamilton, approximate value of order - \$61 455. Terms 2% 10,n/30. Discount off items not listed - Incandescent & Florescent 55%/25% H.I.D. Lamps 55%/35%
- #3 Westburne, Hamilton, approximate value of order - \$8 976. Terms 2%/20 M.F. Discount off items not listed - 50%
- #4 Vallance Brown, Hamilton, approximate value of order - \$15 806. Terms 2%/16. Discount off items not listed - 52%.

**NOTE:** The suppliers being recommended have bid the lowest unit prices on the 170 types of light bulbs that are included in the tender. Eleven tenders were received. Funds are available in various accounts.

- (b) That the following information be included in all City of Hamilton public tenders and public quotations:

That the City of Hamilton and its agencies purchase no finished goods, food and beverages of South African Origin.

7. (a) That the Committee approve the 11 advertising locations as per the list appended hereto, to be leased to "Mediacom Inc." at a rental of \$608.40 per year per poster panel and \$1 942.20 per year per bulletin board plus taxes for one year commencing January 1, 1986; and

- (b) That the City Solicitor be authorized and directed to prepare the necessary leases for these locations.

8. That the claim of Wallace Thane Townsend against the City and City employee Mr. L. M. Santilli be settled in the amount of \$25 000 inclusive of interest for damages plus \$3 000 for costs and \$580.16 for medical reports for a total of \$28 580.16.

**NOTE:** "By Statement of Claim issued February 25, 1985, Wallace Thane Townsend commenced action against the City, City employee L. M. Santilli and Brenda and G. Allan Smith. He claimed \$100 000 plus interest and costs for damages for personal injuries he suffered in a motor vehicle accident that occurred on February 6, 1984 at Barton Street and Kenora Avenue.

9. (a) That the establishment of a joint Accommodation Committee, composed of City and Regional elected representatives and originally endorsed by Council as Section 13 of the 11th Report of the Finance Committee on 1985 June 25, be re-confirmed; and
- (b) That the composition of the Accommodation Committee include the Chairman and Vice-Chairman of the City of Hamilton Finance Committee; the Chairman and Vice-Chairman of the Regional Finance Committee; the Mayor of Hamilton and the Regional Chairman.

**NOTE:** The Accommodation Committee was originally established to study and plan for the long term office needs of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.

10. That the City's cost of \$140 for an extension of the driveway approach and \$400 towards the cost of construction of a retaining wall at 19 Mill Street be financed from within the 1986 budget of the Department of Public Works.

**NOTE:** This item was referred to in Section 10 of the Third Report of the Transport and Environment Committee, approved by Council at its meeting of January 28, 1986.

11. (a) That the Information Systems Requirements Study by Peat Marwick and Partners dated December, 1985, be received.
- (b) That, subject to the approval of the Region and The Hamilton Public Library Board, the Steering Committee be authorized to proceed with a call for proposals for the Phase II Study from Consulting firms duly qualified to undertake such an Information Systems strategy study.

**NOTE:** In June of 1985, City Council approved the engagement of Peat Marwick and Partners for the task of conducting the Phase I Study of the combined computer information systems requirements for the Region, the City of Hamilton and the Hamilton Public Library Board. Copies of this study have been circulated to all members of Council.

12. (a) That an overall increase of 5% be the goal for the 1986 City of Hamilton Current Budget; and
- (b) That all Standing Committees and Local Boards of the City of Hamilton, be requested to work towards achieving this goal.

13. That leave be granted to introduce the following bills:

- (a) G-8 By-law to Authorize Additional Expenditure for the Gore Park Area - Phase II
- (b) G-9 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton

RESPECTFULLY SUBMITTED,

ALDERMAN P. VALERIANO, CHAIRMAN  
FINANCE COMMITTEE

R. C. Prowse, Secretary  
Attach.

1986 February 04  
1986 February 05



CITY OF HAMILTON

MEDIACOM INC.

SIGN LOCATIONS ON CITY PROPERTY

JANUARY 1, 1986

Lease No.	Locations	Sign	Amount
H138	Burlington s/s w/o Woodward	2PP's	\$1,216.80
H164	Britannia s/s e/o Cameron	2PP's	1,216.80
H293	King and Pottruff Road	4PP's	2,433.60
H427	s/e Walmer Rd. & Woodward Ave.	2PP's	1,216.80
H192	Bay & Strachan s/e corner	4PP's	2,433.60
H507	s/s Burlington s/o Woodward	1 Bltn.	1,942.20
H196	s/w cor. Burlington & Wentworth	2PP's	1,216.80
H222	248 Crockett & Upper Sherman	2PP's	1,216.80
H247	s/w cor. James & Wilson	1PP (3 faces)	1,825.20
H793	s/e cor. Cannon & Gage	1PP	608.40
H217	Concession s/s e/o Sherman	1PP	608.40
			<hr/> \$15,935.40

NOTICE OF MOTION



ALDERMAN T. MURRAY GAVE NOTICE THAT HE WOULD MOVE THE FOLLOWING NOTICE  
OF MOTION AT THE NEXT REGULAR MEETING OF CITY COUNCIL:

"RESOLVED: that the duties and responsibilities of the Personnel  
Committee and the Finance Committee be transferred to  
the Executive Committee, and that the City Solicitor  
be instructed to amend Procedural By-law No. 82-203."

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THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

To Authorize:

1. The construction of local improvements without petition under Section 12 of The Local Improvement Act of curb on the North side only of Forest Avenue, between Ferguson Avenue and Wellington Street, as described in Schedule "A";
2. The special assessment to pay a portion of the cost of the works by the abutting owners;
3. The preparation of plans, specifications and reports and the supervision of the construction by the Commissioner of Regional Engineering.

WHEREAS the Council of The Corporation of the City of Hamilton, did adopt Item 48 of the 13th Report of the Transport and Environment Committee and Item 5 of the 13th Report of the Finance Committee, both on the 30th day of July, 1985;

AND WHEREAS it is expedient to proceed without petition to undertake, as local improvements, the works hereinafter described;

AND WHEREAS notice of Council's intention to undertake the works as local improvements has been given by publication of the notice and by service of it upon the owners of the lots liable to be specially assessed under Section 12 of The Improvement Act, R.S.O. 1980;

AND WHEREAS a majority of the owners, representing at least one-half of the value of the lots that are liable to be specially assessed, have not, within one (1) month after publication, petitioned the Council not to proceed with the works;

AND WHEREAS the Council has procured to be made reports, estimates and statements required for the undertaking of the said works;

AND WHEREAS the Ontario Municipal Board did, on the 25th day of October, 1985, issue Order No. E 851249, approving the application of The Corporation of the City of Hamilton for:

- (a) the construction of certain works as local improvements on the initiative plan at an estimated cost of \$10,000.00; and,
- (b) the issue by The Regional Municipality of Hamilton-Wentworth of debentures in the sum of \$10,000.00.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The construction of the works more particularly described in Schedule "A" hereto annexed, may be proceeded with under The Local Improvement Act, at an estimated cost not to exceed \$10,000.00.

2. The share or portion of the estimated cost of the works in the amount of \$9,022.00 to be borne by the lands abutting directly on the works and the estimated cost per metre to be rated, shall be as set out in Schedule "A", provided that the actual rate per metre shall be specially assessed upon the lots abutting directly on the works and payable in equal annual instalments until fully paid.
3. Pending payment of the share or portion of the total cost referred to in Section 2, the said share or portion shall be financed by the issue of debentures by The Regional Municipality of Hamilton-Wentworth:
  - (a) to the extent sufficient to provide an amount not exceeding \$10,000.00; and,
  - (b) repayable over a term not exceeding fifteen (15) years, chargeable to The Corporation of the City of Hamilton.
4. The Commissioner of Regional Engineering is hereby authorized to:
  - (a) prepare all necessary plans, specifications and reports required for the construction of the works; and,
  - (b) supervise construction of the works.
5. The Mayor and City Clerk are hereby authorized to execute, on behalf of The Corporation of the City of Hamilton, all contracts necessary for the construction of the works.

PASSED this 11th day of February, A.D. 1986.

City Clerk

Mayor

(1985) 13 R.T.E.C. 48, July 30

(1985) 13 R.F.C. 5, July 30

SCHEDULE "A"

The Construction on the North side only of Forest Avenue, from Ferguson Avenue to Wellington Street, of a CONCRETE CURB, at the costs not exceeding those set out below:

City's Share	\$ 978.00
Owners' Share	<u>9,022.00</u>
Total Estimated Cost	<u>\$10,000.00</u>

Estimated Cost per metre frontage \$40.00

Fifteen (15) annual instalments



By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 33a (Permit Parking) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from Subsection (5) the following words, namely:-

"\$2.00 per month"

and by substituting therefore the following words, namely:-

"\$1.00 per month"

PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

(1986) 4 R.T.E.C. 21, February 11



Bill No. B - 14

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 22 (Hamilton Street Railway Bus Routes) of By-law No. 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting from the Delaware-West Hamilton (Rosedale Extension) Section the following words, namely:-

"south on Rosedale to Greenhill,".

and by substituting therefore the following words, namely:-

"south on Rosedale to Montrose, east on Montrose to Cochrane, south on Cochrane to Dundonald, west on Dundonald to Rosedale, south on Rosedale to Greenhill".

2. Schedule 23 (Hamilton Street Railway Bus Stops) is hereby amended:-

a) by adding to the Eastbound Column of the Delaware-Main West (Rosedale Extension) Table the following items, namely:-

"Montrose at Erindale  
Montrose at Cochrane  
Cochrane at No. 558 Cochrane  
Greenhill, 112 feet west of Cochrane".

b) by adding to the Westbound Column of the Delaware-Main West (Rosedale Extension) Table the following items, namely:-

"Dundonald at Aberfoyle  
Dundonald at Rosedale".

and by deleting therefrom the following items, namely:-

"Rosedale at Dundonald  
Greenhill at Cochrane".

3. Schedule 25A (Parking Time Limits) is hereby amended by adding to Section 5 (One Hour Limit) the following item, namely:-

"Mountain Park                      North                      Viewpoint to Hamilton".

4. Schedule 26 (No Parking Areas) is hereby amended by adding to Section C (No Parking, 7:00 a.m. to 6:00 p.m.) the following item, namely:-

"Roxborough                      North                      Paving to 40 feet west".

5. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Avondale Street                      West                      East  
Primrose Avenue to Mons Avenue

and by adding thereto the following items, namely:-

"Avondale                      West                      East  
Barton to Mons

Avondale  
Primrose to Barton

East

West".

PASSED this

day of

, A.D. 1986.

City Clerk

Mayor

(1986) 4 R.T.E.C. 21, February 11



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER PARADISE ROAD,  
IN THE AREA SOUTH OF GOSFORD DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-37B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Blocks 1 and 2; and
- (b) by changing from "AA" (Agricultural) district to "R-4" (Small Lot Single-Family Detached) district, the land comprised in Blocks 3 and 4,

the extent and boundaries of each of which Blocks 1, 2, 3 and 4 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

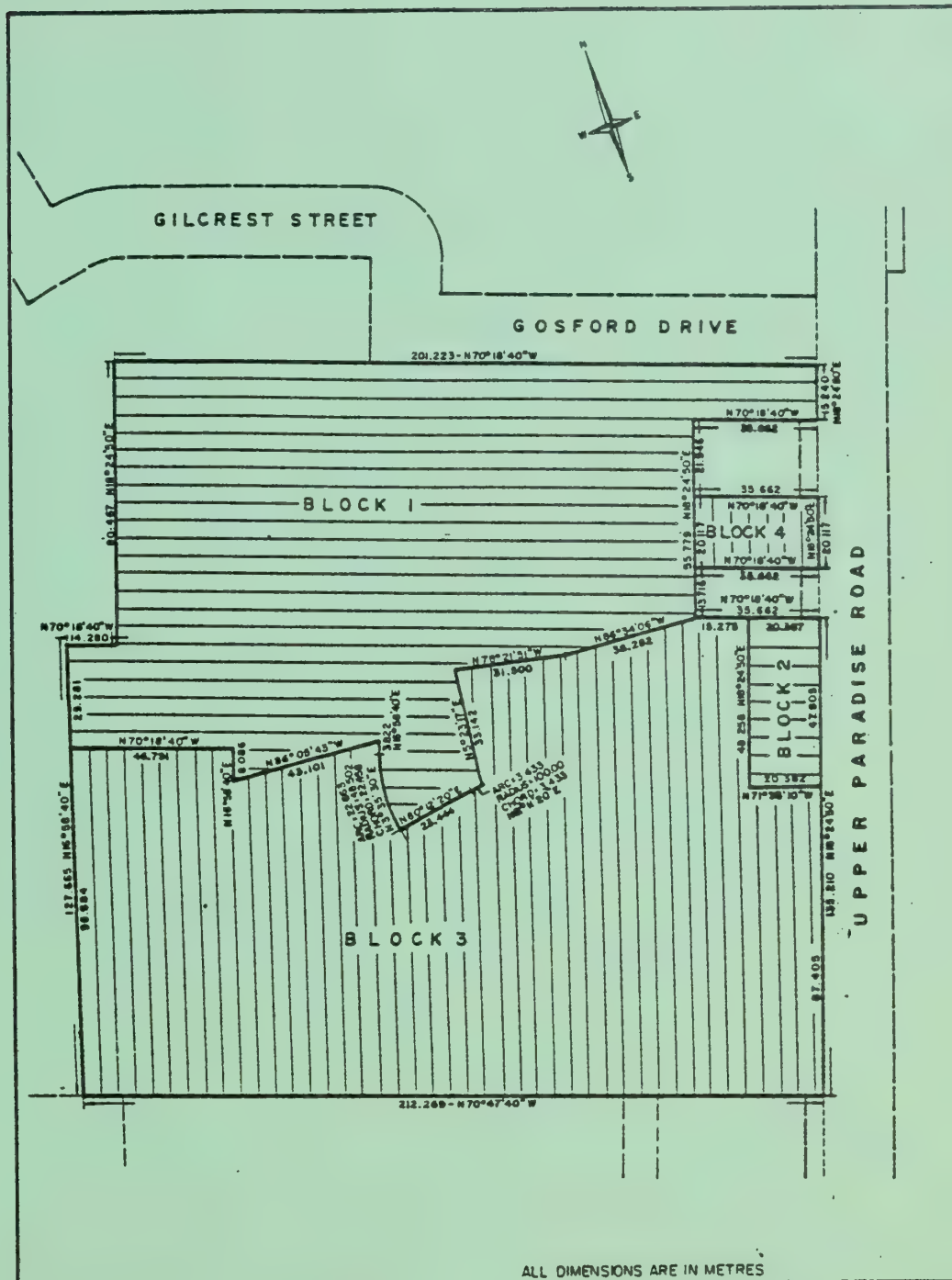
PASSED this

day of

A.D. 1986.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO. 86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**  
**MAP FORMING PART OF**  
**BY - LAW NO. 86-**  
**TO AMEND BY - LAW NO. 6593**

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO:

- BLOCKS 1&2** "C" (URBAN PROTECTED RESIDENTIAL, ETC.)  
DISTRICT.  
**BLOCKS 3&4** "R-4" (SMALL LOT SINGLE-FAMILY DETACHED)  
DISTRICT.

North



Scale

N.T.S.

Date

86-01-13

Reference File No.

ZA 85-67

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED ON THE NORTH SIDE OF LOCONDER DRIVE,  
BETWEEN UPPER GAGE AVENUE AND REXFORD DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish special requirements under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-38B of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "RT-10" (Town-house) district to "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district, the lands,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "D" (Urban Protected Residential - One and Two Family Dwellings, etc.) district provisions applicable to the lands referred to in section 1, are amended to the extent only of the following variances as special requirements:

1. Section 10(1)(iii) of By-law No. 6593 shall not apply.
2. Notwithstanding section 10(3)(ii) of By-law No. 6593, no side yard shall be required along one side of each lot, except that a minimum side yard of 4 feet shall be required for that side of a lot flanking a street.
3. Notwithstanding section 10(4)(i) of By-law No. 6593, a lot for a single family dwelling shall have a width of at least 9.14 metres and an area of at least 278 square metres.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "D" district provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-618a".

5. Sheet No. E-38B of the District Maps, is amended by marking the lands referred to in section 1 of this by-law, "S-618a".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 2 R.P.D.C. 2, January 14  
City Initiative 85-0



LOT 7 , CON. 7

DRIVE

REXFORD

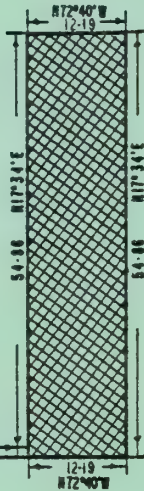
AVE.

GAGE

UPPER

LOCONDER

DRIVE



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY - LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend



CHANGE IN ZONING FROM "RT-10" (TOWNHOUSE)  
DISTRICT TO "D" (URBAN PROTECTED RESIDENTIAL - ONE AND TWO FAMILY DWELLINGS  
ETC.) DISTRICT.

North



Scale

1: 750

Date

85-12-23

Reference File No.

C.I. 85-0

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 924 UPPER WENTWORTH STREET

WHEREAS it is intended to change the zoning of the land hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, proposed by the Council of The Corporation of the City of Hamilton, but not yet approved by the Minister under the Planning Act at the time of the passing of the by-law.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Sheet No. E-18a of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district and "C" (Urban Protected Residential, etc.) district to "HH" (Restricted Community Shopping and Commercial) district, the land,

the extent and boundaries of which are shown on a plan hereto annexed as schedule "A".

2. The "HH" (Restricted Community Shopping and Commercial) district provisions applicable to the land referred to in section 1, are amended to the extent only of the special requirement that,

- (a) notwithstanding subsection 14A(1) of By-law No. 6593, the following uses shall be prohibited:

(i) PUBLIC USES:

- 1. A private club, lodge, fraternity or sorority house, labour union hall or insurance benefit society;

(ii) COMMERCIAL USES:

1. A restaurant or refreshment room.
2. An auctioneer's premises.
3. A tavern.
4. A billiard room, bowling alley, shooting gallery, penny arcade, public hall, music hall, theatre or other place of amusement except a carnival show, circus, trained animal show, merry-go-round, roller coaster, race track and other such places of amusement.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "HH" District provisions, subject to the special requirements referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-922a".

5. Sheet No. E-18a of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-922a".

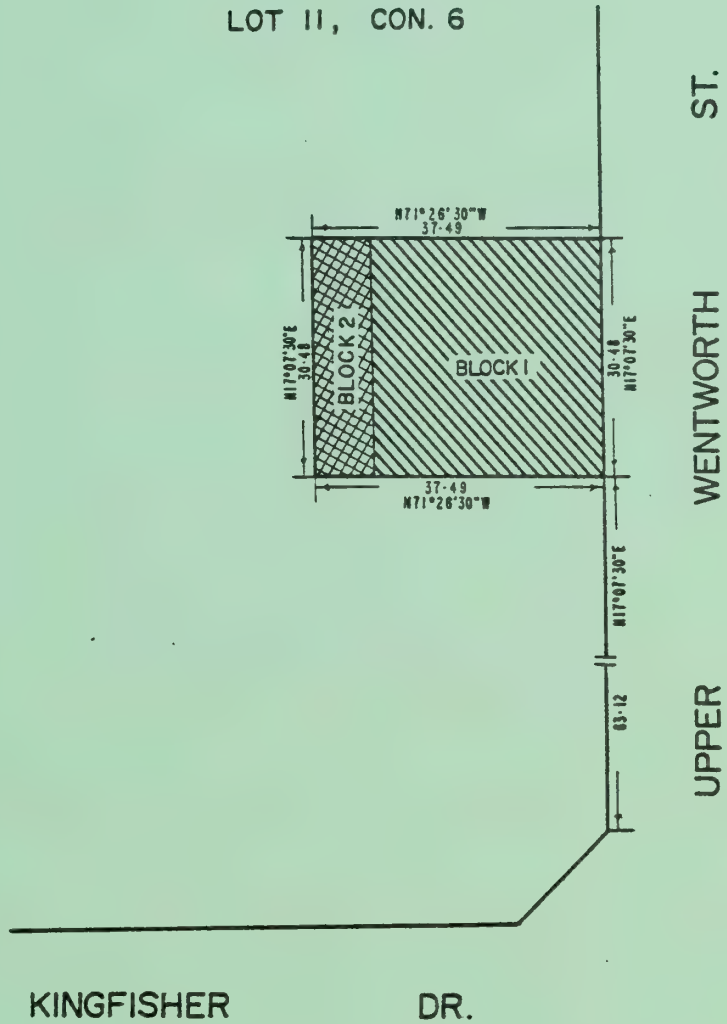
6. The City Clerk is hereby authorized and directed to proceed with the giving of the notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

LOT II, CON. 6



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO.86 -  
 PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
 Clerk

\_\_\_\_\_  
 Mayor

**CITY OF HAMILTON  
 SCHEDULE "A"**

MAP FORMING PART OF

BY - LAW NO.86-

TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
 Planning and Development Department

**Legend**

- BLOCK 1** CHANGE IN ZONING FROM "AA"(AGRICULTURAL) DISTRICT TO "HH" ( RESTRICTED COMMUNITY SHOPPING & COMMERCIAL) DISTRICT, MODIFIED.
- BLOCK 2** CHANGE IN ZONIN FROM "C"(URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT TO "HH"(RESTRICTED COMMUNITY SHOPPING & COMMERCIAL)DISTRICT, MODIFIED.



Scale  
 1: 750

Reference File No.  
 ZA85- 87

Date  
 85-12-24

Drawing No.



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish and Continue:

A Board of Management

FOR THE IMPROVEMENT AREA GENERALLY BOUNDED BY  
KING WILLIAM STREET, MARY STREET, MAIN STREET EAST  
AND JAMES STREET NORTH

WHEREAS By-law No. 82-151, passed on the 29th day of June, 1982 and approved by the Ontario Municipal Board by Order dated the 15th day of December, 1982, (File No. M 820079), designated as an Improvement Area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an Improvement Area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as is provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the Improvement Area designated by By-law No. 82-151, as established by section 1 of By-law No. 83-71, passed on the 22nd day of February, 1983, is continued.

2. The Board of Management shall be composed of,

- (a) members of council who are the Ward Aldermen in which the Improvement Area is located and whose names are set out in Schedule "A" hereto annexed;
- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

3. (1) The Board of Management continues to be and is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the Improvement Area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the Improvement Area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

4. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

5. By-law No. 83-71, as amended by By-laws Nos. 83-250, 84-168 and 85-135, is repealed.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1983) 3 R.P.D.C. 21, January 25  
(1986) 2 R.P.D.C. 11(iv), January 14

SCHEDULE "A"

To By-law No. 86-

1. V. J. Agro.
2. W. M. McCulloch.

SCHEDULE "B"

To By-law No. 86-

- |     |               |   |                                  |
|-----|---------------|---|----------------------------------|
| 1.  | B. Massey     | - | Royal Connaught Hotel            |
| 2.  | P. Pappas     | - | Grapes and Things                |
| 3.  | P. Roberts    | - | Continental Bank of Canada       |
| 4.  | D. Wessel     | - | Terminal Towers                  |
| 5.  | R. Harris     | - | Harris and Henderson             |
| 6.  | J. Livingston | - | J. Livingston Furs               |
| 7.  | P. Sefarian   | - | Paul's Shoe Repair               |
| 8.  | M. Kampen     | - | Woolworths Department Store      |
| 9.  | W. Gerofsky   | - | Leeds of Hamilton                |
| 10. | D. Marissen   | - | Durward, Jones, Barkwell and Co. |
| 11. | T. Olver      | - | Guaranty Trust Company           |
| 12. | M. Pocius     | - | Park Place                       |
| 13. | M. Caplan     | - | Caplan's Gentlemen's Apparel     |
| 14. | J. Ross       | - | Ross' Ladies Wear                |
| 15. | T. Miele      | - | Holiday Inn                      |

SCHEDULE "C"

To

By-law No. 86-

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, section 217

Term of office	(7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).
Vacancy	(8) Where a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (6) to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.
Idem	(9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.
Estimates	(10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisitions upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.
Expenditure of moneys	(11) The Board of Management shall not expend any moneys not included in the estimates approved by the council or in a reserve fund established under section 165.
Borrowing prohibited restrictions on incurring indebtedness	(12) The Board of Management shall not borrow money and, without the prior approval of the council, it may not incur any indebtedness extending beyond the current year.
Assent of electors, etc. R.S.O. 1980, c. 347	(13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.
Annual report	(14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
Auditor	(15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.
Dissolution of Board	(16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

A Board of Management

FOR THE IMPROVEMENT AREA GENERALLY COMPRISED OF  
LANDS ON THE EAST AND WEST SIDES OF JAMES STREET NORTH,  
BETWEEN THE RAILWAY TRACKS ON THE NORTH  
AND KING WILLIAM STREET ON THE SOUTH

WHEREAS By-law No. 85-198, passed on the 24th day of September, 1985, designated as an improvement area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an improvement area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as it provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the improvement area designated by By-law No. 85-198 is hereby established.
2. The Board of Management shall be composed of,

- (a) members of council who are the Ward Aldermen in which the improvement area is located and whose names are set out in Schedule "A" hereto annexed; and
- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed and whose names are set out in Schedule "B" hereto annexed.

2. (1) The Board of Management is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the improvement area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

3. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 2 R.P.D.C. 10(iv), January 14

SCHEDULE "A"

To By-law No. 86-

1. V. J. Agro.
2. W. M. McCulloch.

SCHEDULE "B"

To By-law No. 86-

- |     |                   |                                     |
|-----|-------------------|-------------------------------------|
| 1.  | Doug Robbins      | Robbinex Capital Corporation        |
| 2.  | Sid Leon          | Irving's Famous Clothes Ltd.        |
| 3.  | Brad Clark        | Hodgkiss Studios Ltd.               |
| 4.  | Phil Viana        | Acadia Travel Services Inc.         |
| 5.  | L. Bornstein      | Gordon & Son Furs Ltd.              |
| 6.  | Ron Corsini       | Corsini Supermarket                 |
| 7.  | Mario Giammichele | Mario Custom Tailor                 |
| 8.  | Irving Miller     | Miller's Shoe Store                 |
| 9.  | Janet Morgan      | J & J Pro Hardware                  |
| 10. | Morty Morgenstern | Nandor-Morgenstern Enterprises Ltd. |
| 11. | Harvey Organ      | Kohler's Rexall Drug Store          |
| 12. | Guido Ricca       | Ricca's Furniture Ltd.              |
| 13. | Guy Ricca         | Factory Furniture Mart              |
| 14. | Jerry Sherman     | Jerry's Man's Shop                  |
| 15. | Oscar Simoes      | Oscar's Travel Agency               |

SCHEDULE "C"

To

By-law No. 86-

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, section 217

Term of office	(7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).
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Idem	(9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.
Estimates	(10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisitions upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.
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Assent of electors, etc. R.S.O. 1980, c. 347	(13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.
Annual report	(14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
Auditor	(15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.
Dissolution of Board	(16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

**ADDITIONAL EXPENDITURE FOR THE GORE PARK AREA - PHASE II**

WHEREAS the Ontario Municipal Board, by Order dated the 13th day of July, 1984, (File No. E 840584), approved,

- (a) certain improvements to Gore Park Area - Phase II at an estimated cost of \$1,603,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 85-52, passed on the 26th day of March, 1985, as amended by By-law No. 85-100, passed on the 28th day of May, 1985, authorized proceeding with the undertaking;

AND WHEREAS the Ontario Municipal Board, by Order dated the 19th day of December, 1985, (File No. E 840584), approved,

- (c) an amendment of such previous order by reducing the amount of debentures by the sum of \$275,000.00, and
- (d) a further amendment of such previous order by providing for the entering into an agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs in accordance with the draft agreement filed with the Board on the 28th day of October, 1985, and identified by the Secretary's signature for the provision of a loan of \$183,425.00 for the Commercial Area Improvement Program repayable over a term of ten years, payable out of the general rate.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The Agreement with Her Majesty the Queen in right of Ontario as represented by the Minister of Municipal Affairs

for a loan under the Commercial Area Improvement Program, may now be entered into in accordance with the Ontario Municipal Board Order dated the 19th day of December, 1985, (File No. E 840584).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 17 R.P.D.C. 10, June 25

BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 11th DAY OF February A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 198

CITY CLERK

MAYOR

E. A. SIMPSON  
CITY CLERK



CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

URBAN/MUNICIPAL

CA4 ONHBLA05

A31  
1986

## ORATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

### MEETING OF THE COUNCIL

### OF THE CORPORATION OF THE CITY OF HAMILTON

FEB 26 1986

Tuesday, 1986 February 25  
7:30 o'clock p.m.  
Council Chambers, City Hall

### A G E N D A

1. Prayer - The Reverend Doreen Neufeld,  
Welcome Inn Mennonite Church
2. Minutes of the Meeting held 1986 February 11
3. Correspondence
  - (a) Letter dated 1986 February 19, from The Hamilton  
Automobile Club, attached
4. Reports of Standing Committees - attached:
  - (A) Executive Committee
  - (B) Transport and Environment Committee
  - (C) Parks and Recreation Committee
  - (D) Planning and Development Committee
  - (E) Legislation Committee
  - (F) Personnel Committee
  - (G) Finance Committee
5. First reading of the Bills
6. Second reading of the Bills - Committee of the Whole
7. Third reading of the Bills
8. Question period
9. Adjournment.





C O R R E S P O N D E N C E





## HAMILTON AUTOMOBILE CLUB

P.O BOX 2090

393 MAIN ST. E., HAMILTON L8N 3T7 CANADA

### OTHER CLUB OFFICES:

431 ST. PAUL AVE., BRANTFORD N3R 4N8

3416 FAIRVIEW ST., BURLINGTON L7N 2R5

125 NAVY ST., OAKVILLE L6J 2Z5

Hamilton 525-1210

Brantford 756-6321

Burlington 632-6772

Oakville 845-9680

Telex 061-8739

### DIRECTORS:

Sheriff John E. Betzner  
Mr. Wilfred R. Carter  
Miss Elva Carrol  
Mr. S.F. Donnelly  
Mr. H.K. Embree  
Mr. Keith P. Gould  
Miss Lillian Larmour  
Judge W.W. Leach  
Rev. Dr. A. Lorne MacKay  
Mr. Keith L. McIntyre  
Mr. John E. Milne, Q.C.  
Dr. Carl A. Moore  
Mr. J. Crawford Reid, F.C.A.  
Mr. E.A. Simpson  
Mr. Michael J. Torsney

### HONORARY DIRECTORS:

Mr. Roy G. Cole  
Mr. A.R. Prack, F.R.A.I.C.  
Mr. James S. Thomson

### EXECUTIVE VICE-PRESIDENT AND GENERAL MANAGER:

Mr. A.U. Oakie, C.M.A., F.S.M.A.C.

### CANADA'S FIRST AUTO CLUB

*Established in 1903*

February 19, 1986

### DELIVERED BY HAND

Mayor R. Morrow and  
Members of Council  
City of Hamilton  
71 Main Street West  
Hamilton, Ontario  
L8P 1H4

RE: Proposed On-Street Parking Meter  
Rate Increase

Dear Mayor Morrow and Councillors:

We understand that a proposal will be made to City Council on February 25, 1986, to increase the rate for 25¢ per hour parking meters to 40¢ per hour effective June 2, 1986, and to increase the rate for 50¢ per hour parking meters to 70¢ per hour effective September 1, 1986. The purpose of this letter is to express our opposition to this proposal.

We are all aware of the new vibrancy which has affected our City's downtown - a positive change brought about by the completion of the improvements of Gore Park and the successful opening of the Copp's Coliseum. Continuation of this vibrancy will depend to a great extent upon the availability and cost of parking. Inevitably, an on-street parking meter rate increase will signal a new round of off-street parking increases, considerably increasing the cost of parking and discouraging people from going downtown.

Also, we would urge Council to put this proposal on hold until the downtown parking study which is currently underway is completed. Further, it would be valuable for Council to have information relating to shopping patterns in the downtown area. Knowing the dollar volume of sales

con't.../

— 2800 OFFICES TO SERVE YOU IN 110 COUNTRIES —

### WORLDWIDE AFFILIATIONS

ONTARIO MOTOR LEAGUE, CANADIAN AUTOMOBILE ASSOCIATION, AMERICAN AUTOMOBILE ASSOCIATION, AUTOMOBILE ASSOCIATION OF GREAT BRITAIN, ROYAL AUTOMOBILE CLUB OF GREAT BRITAIN, WORLD TOURING AND AUTOMOBILE ORGANIZATION, ALLIANCE INTERNATIONALE DE TOURISME, FEDERATION INTERNATIONALE DE L'AUTOMOBILE, FEDERATION AERONAUTIQUE INTERNATIONALE, AUSTRALIAN AUTOMOBILE ASSOCIATION, NEW ZEALAND AUTOMOBILE ASSOCIATION.





in the downtown made by people who are travelling on foot, by car, and by public transit, would be valuable information for Council to have before deciding to make a change in parking meter rates.

Parking meter rates in the City of Hamilton were substantially increased in 1980. Since then, motorists have been hit with rapidly rising federal and provincial taxes on gasoline, higher fines for parking offences, and throughout 1985 and 1986, major jumps in auto insurance premiums. A major increase in the cost of downtown parking will discourage many motorists from using downtown services.

We urge City Council in receiving the proposal for on-street parking meter rate increases to defer any decision until we have had an opportunity to review the results of the downtown parking study.

Yours very truly,

HAMILTON AUTOMOBILE CLUB

A handwritten signature in cursive script, appearing to read "Leo E. Laviolette".

Leo E. Laviolette, P.Eng.  
Staff Vice-President

LEL/sj



## REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SIXTH Report and respectfully recommends:

- 1 (a) That the Corporation of the City of Hamilton underwrite losses, if incurred due to the inclement weather by the Hamilton Mountain Air Shows Inc., in staging the 1986 Air Show of an amount not to exceed \$93 000.
- (b) That a \$20 000 interest-free loan be made to the Hamilton Mountain Air Shows Inc. which amount is to be repaid to the City of Hamilton within sixty (60) days of the Air Show, subject to the Air Show being a financial success.
- (c) That an agreement be entered into between the Corporation of the City of Hamilton and Hamilton Mountain Air Shows Inc., to provide for a minimum of twenty-five percent (25%) of any profits realized from the Air Show to be applied towards a Reserve being established to ensure the success of the 1986 and subsequent Air Shows.
- (d) That the Finance Committee be requested to recommend the method of financing these costs; and further that a Reserve Fund be established, to which the Hamilton Mountain Air Shows Inc. will contribute in accordance with sub-section (c) above.
- (e) That following the Air Show, Hamilton Mountain Air Shows Inc. provide the City with an audited financial statement with regard to this event.
- (f) That Alderman S. Collins be appointed a member of the Organizing Committee of the 1986 Air Show.

NOTE: Attached for the information of the members of City Council as Schedule "A", is a copy of Revenue and Expense Projections for the 1986 Air Show which shows a deficit of \$92 949 in the event both days of the Air Show are cancelled due to inclement weather and a profit of \$34 143. if the Air Show proceeds on both days.

Also attached as Schedule "B" is a statement of Revenue and Expenditures of Hamilton Mountain Air Shows Inc. for the years 1984 and 1985.

The Committee further wishes to advise that an Economic Impact Study relative to the Air Show conducted in 1982 showed that the total income to the Hamilton area as a result of the 1982 Air Show, which was a one day Show event, was approximately \$700 000.



2. (a) That an appropriation of twenty-five thousand dollars (\$25 000) be established for additional design services, fabrication and installation of additional interior and exterior signage at the Copps Coliseum.
- (b) That Burton Kramer Associates Ltd., Toronto, Ontario be retained, at an estimated cost of \$5 700 to provide the additional design services, ie. design, preparation of specifications and drawings, etc. necessary for additions to the signage programme.
- (c) That the Finance Committee be requested to recommend the method of financing.

NOTE: For the information of the members of City Council, the initial allowance for signage, graphics and banners for the Trade Centre/Arena project was \$250 000. The total contract for the services of Burton Kramer Associates Ltd. was in the amount of \$35 000.

3. (a) That an appropriation of twenty-five thousand dollars (\$25 000) be established for work necessary to provide safety devices required for roof structure rigging at the Copps Coliseum.
- (b) That staff be authorized and directed to have the necessary plans and specifications prepared for tendering.
- (c) That the Finance Committee be requested to recommend the method of financing.

NOTE: It has been realized that adequate safety devices do not exist in the roof structure to allow event rigging personnel to perform their jobs in a safe and efficient manner. Access ladders from the catwalk to the eight (8) transverse trusses are required. Safety lines along the one hundred and fifty foot lengths of each of the eight trusses are also required. At present, access from the catwalk to the trusses does not exist and riggers are not "tied off" at all times as required by Department of Labour standards.

4. That Rule No. 26 of the City of Hamilton Procedural By-law No. 82-203 be suspended in order that sub-sections (i) and (ii) of Sub-section (a) of Section 5 of this report which deal with matters pertaining to the responsibilities of the Executive Committee and were previously considered by City Council, can be dealt with at this meeting of City Council.

5. (a) That the City of Hamilton Procedural By-law No. 82-203 be amended to provide for the Executive Committee to be responsible for the following duties, in addition to its' current duties, as prescribed by By-law No. 85-18.
- (i) To report and/or recommend to City Council on all matters relating to Department Heads and Senior Staff.
  - (ii) To report and/or recommend to City Council on all aspects relating to the Capital Budget Programme and Capital Projects.
  - (iii) To report and/or recommend to City Council on all matters pertaining to the City's Independent Boards and Commissions (The Hamilton Public Library Board; The Hamilton Performing Arts Inc. and The Hamilton Parking Authority)
  - (iv) To report and/or recommend to City Council on all matters relating to Departmental Re-organizations.
  - (v) To act as the City's liason with all Independent Boards to which the City makes appointments; ie. The Football Hall of Fame and Museum Management Committee, The Hamilton Society of Prevention to Cruelty to Animals.
- (b) That the City Solicitor be authorized and directed to prepare the necessary amending by-law(s) to give effect to this resolution by deleting the appropriate provisions from applicable by-laws and transferring same to the by-law which established the duties of the Executive Committee.
6. That, failing City Councils approval of Section 5 of this report, the Executive Committee of City Council as established by By-law No. 85-18 be dissolved; and further that the City Solicitor be authorized and directed to prepare the necessary amending by-law to give effect to this resolution.

RESPECTFULLY SUBMITTED

MAYOR R.M. MORROW, CHAIRMAN  
EXECUTIVE COMMITTEE

J. J. Schatz, Secretary  
Executive Committee  
1986 February 13 and 20  
/dg



SCHEDULE "A" referred  
to in Section 1 of the  
SIXTH Report of the  
Executive Committee.

## HAMILTON INTERNATIONAL AIRSHOW

### Revenue Projections

Aeroheritage 86

#### A. REVENUE

Revenue Source	Paid Attendance		
	20,000	15,000	3,000
Admissions	\$123,200	\$92,400	\$18,480
City of Hamilton	\$1,000	\$1,000	\$1,000
Concessions	\$6,942	\$5,232	\$1,126
Flight Line Tours	\$9,000	\$6,750	\$1,350
Interest Income	\$920	\$690	\$138
Miscellaneous	\$100	\$100	\$100
Parking	\$12,000	\$9,000	\$1,800
Preferred Seating	\$1,000	\$750	\$0
Program & Decal	\$7,200	\$4,830	\$0
Net Revenue			
Sponsors	\$8,000	\$8,000	\$8,000
Static Displays	\$4,400	\$3,300	\$660
Total Revenue	\$173,762	\$132,052	\$32,654

#### B. EXPENSES

Performers Fees, Transportation and Accomodation	\$30,000	\$30,000	\$30,000
Fuel Costs, Aircraft Service	\$30,000	\$25,000	\$23,000
Insurance	\$20,000	\$20,000	\$20,000
Security	\$5,000	\$3,000	\$2,000
Advertising & Publicity	\$15,500	\$15,500	\$15,500
Program	\$0	\$0	\$3,834
Administration	\$6,000	\$6,000	\$5,000
Hospitality	\$12,000	\$12,000	\$11,000
Bank Charges	\$100	\$100	\$100
Spectator Services	\$16,350	\$14,000	\$12,000
Legal & Audit	\$3,000	\$1,500	\$1,500
Parking	\$1,669	\$1,669	\$1,669
Static Displays	\$0	\$0	\$0
Total Expenses	\$139,619	\$128,769	\$125,603
Profit/(Loss)	\$34,143	\$3,283	(\$92,949)





SCHEDULE "B" referred to in  
Section 1 of the SIXTH  
Report of the Executive Comm.

## HAMILTON INTERNATIONAL AIRSHOW

### Statement of Revenue and Expenses

10 February 1986

#### A. REVENUE

Revenue Source	1986 Budget	1985 Actual	1984 Actual
Admissions	\$123,200	\$90,410	\$75,497
City of Hamilton	\$1,000	\$1,000	\$2,000
Concessions	\$6,942	\$9,059	\$5,180
Flight Line Tours	\$9,000	\$6,202	\$6,658
Interest Income	\$920	\$298	\$684
Miscellaneous	\$100	\$85	\$4,949
Parking	\$12,000	\$11,657	\$9,795
Preferred Seating	\$1,000		-
Program & Decal	\$7,200	(\$7,877)	\$404
Net Revenue			
Sponsors	\$8,000	\$6,000	\$9,250
Static Displays	\$4,400	\$3,321	
Total Revenue	\$173,762	\$120,155	\$114,417

#### B. EXPENSES

Performers Fees, Transportation and Accomodation	\$30,000	\$29,114	\$34,161
Fuel Costs, Aircraft Service	\$30,000	\$24,630	\$32,472
Insurance	\$20,000	\$16,867	\$7,268
Security	\$5,000	\$2,772	\$5,049
Advertising & Publicity	\$15,500	\$14,781	\$24,198
Program	\$0	\$7,877	\$3,193
Administration	\$6,000	\$5,885	\$8,000
Hospitality	\$12,000	\$10,457	\$9,850
Bank Charges	\$100	\$110	\$96
Spectator Services	\$16,350	\$15,484	\$14,802
Legal & Audit	\$3,000	\$2,825	\$1,250
Parking	\$1,669	\$2,250	\$1,336
Static Displays			
Total Expenses	\$139,619	\$133,052	\$141,675
Profit/(Loss)	\$34,143	(\$12,897)	(\$27,258)









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Transport and Environment Committee presents its SIXTH Report for 1986 and respectfully recommends:

1. That Mr. Scheaffer, R.R. #1 Caledonia, be placed on the current snow removal list, providing all necessary requirements are adhered to, for example, Public Liability Insurance and Workman's Compensation.

NOTE: Mr. Scheaffer tendered his equipment for the current snow removal program. He was inadvertently rejected due to living outside of the Region of Hamilton-Wentworth. As there are no restrictions as to a person's residence, Mr. Scheaffer should not have been rejected.

2. That the Contract for the supply and installation of galvanized steel stairs, landings, supports and handrails be awarded to Walter's Welding and Iron Works Ltd. in the total amount of \$83 623.

NOTE: The tender by Walter's Welding includes the supply and installation of a welded wire mesh between the railings and a \$3 000 Contingency Allowance and was the lowest of seven (7) acceptable tenders.

3. That an order be placed with Owl Lite Signs Inc., for 6" and 8" wide Street Name Sign Extrusions in accordance with specifications issued by the Director of Purchasing and Vendor's tender at the following unit prices:

6" - \$1.85 foot and  
8" - \$1.89 foot  
Including all charges

NOTE: Lowest of 4 tenders received. Funds available in account #0394-3326.

4. That an Offer to Purchase an unused portion of road allowance abutting 24 Ravenscliffe Avenue, executed by Audrius L. and Catherine A. Gureckas on December 5, 1985 and scheduled to close 60 days following enactment by the City of a By-law to stop, close and sell said portion of road allowance, be accepted and completed.

NOTE: The said road allowance has a frontage along the southerly limits of Ravenscliffe Avenue of 15 metres (50 feet more or less) and contains 37m<sup>2</sup> (400 square feet more or less).

The purchase price is \$3 000, the proceeds of which will be credited to account #0280-02. A certified deposit cheque in the amount of \$300 is being held by the City Treasurer pending Council acceptance and closing of the transaction.



5. That Offers to Purchase the property at the rear of Abbot Court and Abbot Drive executed by the following owners be approved and completed.

<u>Owner</u>	<u>Address</u>	<u>Area</u>	<u>Purchase Price</u>
(a) Cosimo Drosi Colombina Drosi	92 Abbot Court	1189.9 sq.ft.	\$ 890
(b) Joseph Steinbach	88 Abbot Court	935.22 sq.ft.	\$ 700
(c) Robert Milne Elizabeth Milne	84 Abbot Court	853.06 sq.ft.	\$ 640
(d) Thomas Lewington Betty Lewington	72 Abbot Court	1179.2 sq.ft.	\$ 850
(e) Melvyn C. Bury Lise Ginette Bury	68 Abbot Court	1134.5 sq.ft.	\$ 850

NOTE: The parcels being sold have been deemed surplus to municipal requirements. The exact area is to be determined by a survey and the purchase price is to be calculated by applying a rate of \$.75 per square feet to the area as defined by the survey. The City Treasurer is holding a \$100 deposit from each of these property owners pending approval of these transactions. Proceeds of this sale are to be credited to account #0280-11.

6. (a) i. That the City subdivision agreement be amended to delete the requirement to construct sidewalks on Benemar Court under the plan of subdivision for Aspen Estates - Phase 3; and
- ii. That the Developer is to prepare and register an amending agreement, to the satisfaction of the City Solicitors Office and at the Developer's expense; and
- iii. That the Mayor and City Clerk be authorized and directed to execute all necessary documents required to amend the City subdivision agreement for Aspen Estates - Phase 3; and
- iv. That the Developer's Solicitor is to verify title to all lots affected by the deletion of sidewalks and confirm that all land owners have been notified and are in agreement with the change, all in conjunction with the registration of the amending agreement.

NOTE: City Council, on 1986 January 14, adopted a new policy regarding the requirements for the installation of sidewalks in new plans of subdivision. In accordance with the new policy, Department of Transportation staff have determined that sidewalk construction is not required on Benemar Court.

- (b)
  - i. That item 24 of the Transport and Environment Committee Report 18-85, as adopted by City Council on 1985 October 29, be rescinded; and
  - ii. That the revised Engineering Schedules for the estimated cost of services in "Aspen Estates - Phase 4", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - iii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - iv. That in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (c)
  - i. That the engineering schedules for the estimated cost of services in "Park Plaza Estates - Phase 2" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - ii. That the City's share for the cost of services for this development (\$38 850) be charged to the Reserve for Services through Unsubdivided Lands, account #0280-12; and
  - iii. That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have both been registered; and
  - iv. That in the event that the Subdivider wishes to proceed prior to the registration of the Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enters into a Standard Agreement for Pre-Servicing.
- (d)
  - i. That item 14(e) of the Transport and Environment Committee Report 3-86 as adopted by City Council on 1986 January 28, be revised to show the Subdivider's share reduced to \$149 386, as a result of the deletion of sidewalks on Glenhaven Court; and
  - ii. That the revised Engineering Schedules for the estimated cost of services in "Paradise Park Estates", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
  - iii. That the City's share of \$86 603 as approved, is to remain unchanged; and

- iv. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - v. That in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
- (e) i. That the submitted schedules for the estimated cost of services in "Sherman Oaks - Phase 2, Stage 2" as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- ii. That the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
  - iii. That in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a Standard Agreement for Pre-Servicing.
7. (a) i. That an application by the owner of 175 Mary Street, Bradley W. Jordan, approved by City Council on 1984 January 31, as item 50 of the 1st Report of the Transport and Environment Committee, to retain an inadvertent encroachment onto the road allowance of Mary Street, be rescinded; and
- ii. That authorization be granted to the City Solicitor's Department to initiate such legal action as may be necessary to protect the City's interest.

NOTE: The Solicitors for Mr. Jordan have been contacted on numerous occasions and they have advised the City Solicitor's Department that the owner does not wish to execute the Encroachment Agreement.

Therefore, the authorization granted by Council should be rescinded.

- (b) That the application of Mr. N.L. Harrington on behalf of the owner(s) of 44 Chestnut Avenue, Peter and Helena Harrington, to retain the following inadvertent encroachment on the road allowance consisting of a two storey brick building, 0.14m (0.47') by 6.1m (20.0') be approved, during the pleasure of City Council, provided:



- i. That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
  - ii. That an annual fee of \$35 be set for this privilege which shall be due and payable to the Corporation 30 days from the date of this resolution.
8. (a) That the Commissioner of Engineering be authorized and directed to install a banner pole anchoring system made up of a ground anchor and guy wire on the south side of Main Street and a guy wire attached to the large concrete structure beneath the Hamilton Place computerized sign on the north side of Main Street.
- (b) That the Finance Committee determine the method of financing the cost of this work which is estimated at \$1 500.

NOTE: During the windy weather which occurred on 1985 December 2, the banner poles in front of City Hall were damaged. Repairs to the poles have been made. However, to prevent a recurrence, it is necessary to revise the banner attachment system and install an anchoring system for the poles.

9. (a) That "Women's World" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 October 20, to 1986 November 3, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

NOTE: Banner Message Content

"Woman's World '86 - Hamilton Convention Centre, October 31, November 1 and 2, 1986".

- (b) That "Theatre Aquarius Incorporated" be permitted to display a promotional banner across Main Street West, in front of City Hall, from 1986 September 22 to 1986 September 29, subject to the policy guidelines and conditions approved by Council on 1985 October 29.

NOTE: Banner Message Content

"Theatre Aquarius' 86/87 Season Playbill".

10. (a) That the 1986 Reconstruction/Resurfacing Program, in the amount of \$6 365 000, be approved; and
- (b) That the necessary by-laws be prepared by the City Solicitor, and the City Clerk be authorized and directed to advertise these by-laws as required by Section 301 of The Municipal Act, outlining the City's intention to proceed with the altering of the following streets:



- i. Birch Avenue (Little Birch) from Barton Street to the south end of Powell Park.
  - ii. Birmingham Street from Burlington Street to approximately 90m southerly.
  - iii. Bond Street from the north end to Franklin Avenue.
  - iv. Central Avenue from Rothsay Avenue to Kensington Avenue.
  - v. Cope Street from the north end to Barton Street.
  - vi. East 11th Street from Queensdale Avenue to the south end.
  - vii. East 17th Street from Brucedale Avenue to Fennell Avenue.
  - viii. King William Street from John Street to Catharine Street.
  - ix. Park Row from Edinburgh Avenue to Cannon Street.
  - x. Woodbine Crescent from York Boulevard to approximately 30m westerly.
- (c) That the Finance Committee establish the method of financing; and
  - (d) That the Commissioner of Engineering be authorized to undertake these works on behalf of the City of Hamilton once all the necessary approvals have been received.

**NOTE:** The 1985-89 Capital Budget makes a provision in the amount of \$6 365 000 for the reconstruction of roads, curbs, sidewalks and alleys in the City of Hamilton in 1986. The estimated subsidy from the Ministry of Transportation and Communications (M.T.C.) is \$2 292 000. The estimated net City cost is \$4 073 000.

The proposed 1986 Program is divided into the following sections and is appended hereto:

- (a) Reconstruction of roads and abutting sidewalks and curbs.
  - (b) Reconstruction of sidewalks only.
  - (c) Reconstruction of public assumed alleys.
  - (d) Supplementary List.
- 11. (a) i. That the Bruleville Neighbourhood be designated as a Neighbourhood Watch Area; and
  - ii. That Neighbourhood Watch Signs for the Bruleville Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and

- iii. That the necessary funds be charged to account #0345-6060 (Neighbourhood Watch Program).
  - (b)
    - i. That the Westdale South Neighbourhood be designated as a Neighbourhood Watch Area; and
    - ii. That Neighbourhood Watch Signs for the Westdale South Neighbourhood be erected and maintained by the City Traffic Department, as long as this neighbourhood maintains an active Neighbourhood Watch Program as determined by the Regional Police Department; and
    - iii. That the necessary funds be charged to account #0345-6060 (Neighbourhood Watch Program).
- 12. (a)
  - i. That stopping be prohibited on the north side of Anna Capri Drive between Upper Gage Avenue and a point 100 feet easterly therefrom; and
  - ii. That By-law 66-100 be amended accordingly.
- (b)
  - i. That parking be prohibited on the north side of Broker Drive between Brentwood Drive and a point 122 feet easterly therefrom; and
  - ii. That By-law 66-100 be amended accordingly.
- 13. (a) That parking be prohibited on both sides of Allenby Avenue between McElroy Road East and the northerly end; and
- (b) That By-law 66-100 be amended accordingly.
- 14. (a) That the following bus stop relocation be approved:
 

Parkdale Extension

Northbound - Delete - Mount Albion at Hixon  
                   - Add - Mount Albion at Hixon (F/S); and
- (b) That By-law 66-100 be amended accordingly.
- 15. That a "School Bus Loading Zone, 7:00 a.m. to 6:00 p.m., Monday to Saturday" regulation be implemented on the north side of Tenth Avenue, commencing at a point 60 feet east of East 45th Street and extending to a point 160 feet easterly therefrom.
- 16. That By-law 75-155 (Parking on Private and Municipal Property) be revised:

- (a) to include in the definition of "owner" the Board of Directors of a Condominium Corporation, or any persons designated by them, such that members of the Board of Directors or their designates would be authorized to register complaints regarding illegal parking on the private property; and
  - (b) to specifically indicate that individual condominium owners are authorized to register complaints regarding illegal parking in a parking space on the private property which is designated for exclusive use by that condominium owner.
17. (a) That City Council forward a resolution to the Minister of Transportation and Communications of the Province of Ontario indicating that the City requests that the sign reading "Hamilton Downtown Follow Burlington Street" for traffic from the direction of Niagara Falls on the Queen Elizabeth Way be replaced with an appropriate sign at an appropriate location reading "Hamilton Downtown Follow Queen Elizabeth Way to Highway 403"; and
- (b) That City Council include in the letter to the Minister a request that consideration be given to the following additional sign revisions:
- i. Erect on the Queen Elizabeth Way a sign for traffic from the direction of Niagara Falls indicating that traffic destined to the Hamilton Industrial Area should exit at Burlington Street; and
  - ii. Revise the signing on Highway 403 for traffic from the Queen Elizabeth Way to indicate that "Hamilton Downtown" traffic should exit at the next two exits, and to indicate at both York Boulevard and Main Street that these routes lead to "Hamilton Downtown"; and
- (c) That City Council request the Council of the Regional Municipality of Hamilton-Wentworth to endorse this resolution and request and so advise the Minister of Transportation and Communications; and
- (d) That the Minister of Transportation and Communications be requested to erect a sign on the Queen Elizabeth Way at the junction of Highway 403 leading into Hamilton, which clearly indicates "Hamilton East - Industrial Area".
18. That the following recommendation from the Director of Traffic Services not be endorsed:
- (a) That effective 1986 June 02, the rate for 25 cent per hour meters be increased to 40 cents per hour; and
  - (b) That effective 1986 September 01, the rate for 50 cent per hour meters be increased to 70 cents per hour; and



- (c) That the \$108 800 required to convert the parking meters and purchase additional security equipment be financed from the Off-Street Parking Reserve Fund.

NOTE: For the information of the members of the Committee, these parking meter rate changes are expected to produce an additional net revenue of \$999 760 over the next five-year period following implementation.

The recommendation of the Director of Traffic Services dealing with the above was defeated on a 4 - 4 tie vote.

19. (a) That the existing advisory speed signs on Limeridge Road at the curved section east of Kendale Court be replaced with "Maximum 40 km/h" signs at the appropriate locations; and
- (b) That flashing amber lights be installed above the proposed, "Maximum 40 km/h" speed limit signs; and
- (c) That the visibility of the school crossing signs in this area be improved or the signs themselves be enlarged.
19. Whereas serious environmental and safety concerns have arisen as a result of the fire which occurred at the Chipman Chemical Plant in Stoney Creek on Tuesday, 1986 January 21;

IT IS HEREBY RECOMMENDED:

That the Department of Labour be requested to assign a chemist, familiar with manufacturers' safety practices related to chemicals and/or insecticides, to ensure that the proper safety controls are in effect at the Chipman Chemical Plant in Stoney Creek.

20. For the information of the members of City Council, the Transport and Environment Committee approved the following composition of the 1986-88 Pollution Control Sub-Committee:

The membership of the Pollution Control Sub-Committee will be composed of the following:

- |                                                 |                                 |
|-------------------------------------------------|---------------------------------|
| 4 members of City Council                       | - Alderman H. Merling, Chairman |
|                                                 | - Alderman G. Copps             |
|                                                 | - Alderman D. Christopherson    |
|                                                 | - Alderman S. Collins           |
| 4 citizen members                               | - Ms. Irene Stayshyn            |
|                                                 | - Mr. Ivan Boyko                |
|                                                 | - Mr. Gary Chevalier            |
|                                                 | - Mr. John Struger              |
| 1 member of the Hamilton<br>Conservator Society | - Mr. Chris Williams            |



21. That leave be granted to introduce the following bills:

- (a) B-15 By-law to Consolidate Streets By-law No. 9329.
- (b) B-16 By-law to Amend Local Improvement By-law No. 10605 Respecting Revised Costs to the Corporation for the Installation of Local Improvements.
- (c) B-17 By-law to close and sell a portion of Greenhill Avenue, between approximately 70 m. east of Rosseau Road, to the division line between Lots 33 and 34.
- (d) B-18 By-law to close and sell Keele Street, from Burlington Street to the C.N. right-of-way.
- (e) B-19 By-law to amend By-law 75-155 to Regulate Parking on Private and Municipal Property.
- (f) B-20 By-law to amend By-law 66-100 to Regulate Traffic.
- (g) B-21 By-law to amend By-law 66-100 to Regulate Traffic.

RESPECTFULLY SUBMITTED,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R.C. Prowse  
Secretary  
Attach.  
1986 February 17

CITY OF HAMILTON

1986 RECONSTRUCTION/RESURFACING PROGRAM

PREPARED BY

REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH

TRANSPORTATION DEPARTMENT

JANUARY 1986

86 02 19

<u>Contents</u>	<u>Page</u>	<u>Estimated Cost</u>
A. Road & Abutting Sidewalks	1-4	\$5,529,000
B. Sidewalks Only	5-6	\$ 766,100
C. Alleys	6	\$ 69,900
D. Supplementary List (Projects to be done in 1986 if residual funds are available)	7-11	\$4,158,000

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

PAGE 1

A. ROADS & ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Barton Street	Locke	Queen	415m	12.1m-13.4m	12.1m-13.4m	\$340,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- reconstruct curb</li> <li>- north side Crooks to Queen</li> <li>- south side Ray to Queen</li> <li>- reconstruct &amp; repair sidewalk</li> <li>- north side Locke to Crooks</li> <li>- 1985 carry over</li> </ul>
Birmingham St.	Burlington T.H. & B.		315m	7.7m-8.9m	8.5m-8.9m	\$153,000	<ul style="list-style-type: none"> <li>- road improvement &amp; widening</li> <li>- west side only from Burlington Street to 90m southerly</li> <li>- sidewalk reconstruction</li> <li>- west side Burlington to TH&amp;B.</li> <li>- east side Burlington to CN Rail</li> <li>- in conjunction with storm sewers</li> </ul>
Castlefield Dr.	Fennell	90m south of Fernwood	175m	8.6m	8.6m	\$ 88,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk repair (both sides)</li> <li>- in conjunction with storm sewers</li> </ul>
Catharine St.	Cannon	King	480m	8.5m-9.2m	8.5m-9.2m	\$331,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk reconstruction (both sides)</li> <li>- in conjunction with storm sewers</li> </ul>
Cavell Avenue	Primrose	Linden	460m	7.5m-9.1m	7.5m-9.1m	\$231,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk reconstruction (both sides)</li> <li>- in conjunction with storm sewers</li> </ul>



CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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A. ROADS & ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Cope Street	North End	Barton	325m	7.3m	8.5m	\$200,000	<ul style="list-style-type: none"> <li>- road improvement &amp; widening (0.6m each side)</li> <li>- sidewalk reconstruction (both sides)</li> <li>- 1985 carry over</li> </ul>
East 16th Street	Vickers	South Bend	300m	8.6m	8.6m	\$140,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk repair &amp; reconstruction (both sides)</li> <li>- 1985 carry over</li> </ul>
East 17th Street	Bruceedale	Fennell	210m	7.3m	8.5m	\$135,000	<ul style="list-style-type: none"> <li>- road improvement &amp; widening (0.6m each side)</li> <li>- sidewalk reconstruction (both sides)</li> <li>- 1985 carry over</li> </ul>
East 19th Street	Queensdale	Fennell	440m	7.3m	7.3m	\$214,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk reconstruction &amp; repair</li> <li>- Queensdale to Bruceedale (both sides)</li> <li>- Bruceedale to Fennell (east side)</li> <li>- 1985 carry over</li> </ul>
Fernwood Crescent Thelma of Ninth (east leg)			215m north 540m	8.5m	8.5m	\$271,000	<ul style="list-style-type: none"> <li>- road improvement</li> <li>- sidewalk repair (both sides)</li> <li>- in conjunction with storm sewers</li> </ul>

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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A. ROADS & ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Greenwood Street	Fernwood	90m south of Fernwood	90m	8.6m	8.6m	\$ 46,000	- road improvement - sidewalk repair (both sides) - in conjunction with storm sewers
Hess Street	York	King	320m	9.3m	9.3m	\$213,000	- road improvement - sidewalk reconstruction (both sides) - in conjunction with storm sewers
Huxley Avenue	King	Lawrence	205m	8.6m	8.6m	\$130,000	- road improvement - sidewalk reconstruction (both sides) - 1985 carry over
James Street	James Mountain Road	Freeman Place	65m	8.5m	8.5m	\$ 62,000	- road improvement - sidewalk reconstruction (east side from St. Joseph's Drive to Freeman Place) - in conjunction with storm sewers
King Street	Dalewood	east leg of Cline	960m	14.6m	14.6m	\$1,220,000	- road improvement - sidewalk & curb reconstruction, and repair (both sides) - paving stones in boulevard in B.I.A. - 1985 carry over
King William St.	John	Catharine	105m	8.5m	8.5m	\$ 48,000	- road improvement - reconstruct sidewalks under D.A.P.

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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A. ROADS & ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Longwood Road	King	Main	435m	12.2m	12.2m	\$370,000	- road improvement - repair curbs (both sides) - 1985 carry over
McAnulty Blvd.	Stapleton	Kenilworth	90m	7.4m	7.4m	\$ 58,000	- road improvement - sidewalk & curb reconstruction (both sides) - in conjunction with storm sewers - 1985 carry over
Melvin Avenue	Parkdale	Woodward	810m	13.4m	13.4m	\$760,000	- road improvement - sidewalk & curb reconstruction & repair (both sides) - in conjunction with storm sewers
Napier Street	Queen	Caroline	235m	8.7m	8.7m	\$110,000	- road improvement - sidewalk reconstruction - Queen to Hess (south side) - Hess to Caroline (both sides) - in conjunction with storm sewers
Oak Avenue	Birge	Cannon	590m	7.6m	7.6m	\$272,000	- road improvement - sidewalk reconstruction (both sides) - in conjunction with storm sewers
Woodbine Cres.	Jones	York	220m	6.7m	6.7m-8.5m	\$110,000	- road improvement & widening (1.8m south side only, York Blvd. to 30m westerly) - sidewalk reconstruction (both sides) - in conjunction with storm sewers

## CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

## B. SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Bay Street	Duke	Herkimer	Both	690m	\$ 30,000	- Regional Road
Callie Road	East 15th	East 16th	North	67m	\$ 8,500	
Concession St.	Vola	East 17th	South	510m	\$ 53,000	- Regional Road
	East 18th	East 19th	South	70m	\$ 8,000	- reconstruct & repair walk
	Upper Wellington	Belwood	North	565m	\$ 46,000	- install paving stones in boulevard
	Summit	Viewpoint	North	250m	\$ 40,000	(Summit to Viewpoint) - new walk- Upper Wellington to 80m easterly (north side)
Devonport Street	30m South of York	Tom	Both	260m	\$ 43,000	- Regrade & surface treat roadway - 1985 carry over
East 39th Street	Concession	Queensdale	Both	950m	\$132,000	- Reconstruction & repair - Regrade & surface treat roadway (Concession to Crockett)
Fennell Avenue	Upper Wellington	Upper Sherman	Both	750m	\$125,000	- Regional Road - Reconstruct & repair walk



B. SIDEWALKS

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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<u>Street</u>	<u>From</u>	<u>To</u>	<u>Side</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Ferguson Avenue	90 m south of Hunter CN Rail	T.H.&B. T.H.&B.	West East	60m 75m	\$ 8,000 \$ 9,600	- Reconstruct walk - Regrade and surface treat roadway
	T.H.&B.	Young	Both	140m	\$ 19,000	
Magill Street	Barton	York	Both	580m	\$ 82,000	
Patricia Place	End	East 38th	Both	135m	\$ 17,000	
Queensdale Avenue	Prince George	Upper Wellington	Both	780m	\$ 90,000	- reconstruct & repair - 1985 carry over
Ray Street	King	Main	Both	400m	\$ 55,000	- regrade & surface treat roadway - 1985 carry over

C. ALLEYS

<u>Streets Between</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Wellington & West	Barton	Cannon	360m	\$ 69,900	- 1985 carry over (note revised limits)

Contingency  
- to be applied to projects  
on the Supplementary List

\$27,000

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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D. SUPPLEMENTARY LIST

ROADS AND ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Roxborough Ave.	Parkdale	Reid	410m	13.4m	13.4m	\$390,000	- road improvement - sidewalk & curb reconstruction
Rebecca Street	James	John	200m	7.3m-8.5m	7.3m-8.5m	\$128,000	- road improvement - sidewalk reconstruction & repair (both sides)
Birch Avenue (Little Birch)	Barton	South End (Powell Park)	155m	6.2m	7.5m	\$ 84,000	- road improvement & widening (1.0m east side, 0.3m west side) - sidewalk reconstruction (west side) - 1985 carry over
Bond Street	North End	Franklin	180m	7.3m	8.5m	\$125,000	- road improvement & widening (0.6m each side) - sidewalk reconstruction (both sides) - 1985 carry over

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

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D. SUPPLEMENTARY LIST

ROADS AND ABUTTING SIDEWALKS

<u>Street</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Existing Width</u>	<u>Proposed Width</u>	<u>Estimated Cost</u>	<u>Proposed Improvements</u>
Seeley Avenue	East 25th	East 27th	240m	8.5m	8.5m	\$132,000	- road improvement - sidewalk reconstruction & repair (both sides) - 1985 carry over
Upper Kenilworth Avenue	Fennell	Broker	445m	14.0m	14.0m	\$350,000	- road improvement - 1985 carry over
Vickers Road	East 16th	Upper Wentworth	370m	8.6m	8.6m	\$180,000	- road improvement - sidewalk reconstruction & repair (both sides) - 1985 carry over
Depeu Street	Burlington	Gertrude	330m	8.3m-12.2m	8.3-12.2m	\$213,000	- road improvement - sidewalk reconstruction (east side only)
Sterling Street	Forsyth	North Oval	675m	13.7m	13.7m	\$630,000	- road improvement - curb repair (both sides) - 1985 carry over
Parkview Drive	Franklin	Bond	215m	7.3m	7.3m	\$125,000	- road improvement - sidewalk reconstruction and repair (both sides) - 1985 Carry over

## CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

## D. SUPPLEMENTARY LIST

## ROADS AND ABUTTING SIDEWALKS

Street	From	To	Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Senator Avenue	Barnesdale	Lottridge	160m	7.4m	7.4m	\$ 88,000	- road improvement - sidewalk reconstruction (both sides) - 1985 carry over
King William St.	Emerald	Wentworth	400m	7.5m-9.0m	7.5m-9.0m	\$238,000	- road improvement - sidewalk reconstruction (both sides)
Strathearne Ave.	630m north of Burlington	95m north of Burlington	535m	12.2m	12.2m	\$109,000	- road improvement - curb reconstruction and repair (both sides)
Smith Avenue	Barton	Cannon	370m	7.4m	7.4m	\$183,000	- road improvement - sidewalk reconstruction (both sides)
Cathcart Street	North End	Cannon	220m	9.1m	9.1m	\$122,000	- road improvement - sidewalk reconstruction (both sides)
Central Avenue	Rothsay	Kensington	73m	7.3m	8.5m	\$ 48,000	- road improvement & widening (0.6m each side) - sidewalk reconstruction (both sides)



D. SUPPLEMENTARY LIST

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

PAGE 10

ROADS AND ABUTTING SIDEWALKS		Length	Existing Width	Proposed Width	Estimated Cost	Proposed Improvements
Street	From To					
Montrose Avenue	Rosedale Cochrane	390m	9.6m	9.6m	\$268,000	- road improvement - sidewalk reconstruction & repair (both sides)
Merchison Ave.	Kenilworth Division	265m	7.3m	7.3m	\$129,000	- road improvement - sidewalk reconstruction (both sides)
Park Row	Edinburgh Cannon	285m	5.5m	7.0m	\$141,000	- road improvement & widening (1.5m on park side of each leg) - sidewalk reconstruction
East 11th Street	Queensdale South End	385m	7.3m	8.5m	\$212,000	- road improvement & widening (0.6m each side) - sidewalk reconstruction (both sides)
Keswick Court	King South End	175m	8.5m	8.5m	\$ 97,000	- road improvement - sidewalk & curb reconstruction (both sides)
Ferguson Avenue	King Main	85m	7.2m	7.2m	\$ 27,000	- road improvement - reconstruct sidewalks under D.A.P.

CITY OF HAMILTON 1986 RECONSTRUCTION/RESURFACING PROGRAM

ALLEYS

<u>Streets Between</u>	<u>From</u>	<u>To</u>	<u>Length</u>	<u>Estimated Cost</u>	<u>Remarks</u>
Herkimer & Stanley	Dundurn	Locke	390m	\$ 60,000	- 1985 carry over
Emerald & Oak	Barton	Cannon	365m	\$ 50,000	
Homewood & Stanley	Kent	Stanley	190m	\$ 29,000	









REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

To the Members of Council:

The Parks and Recreation Committee presents its Sixth Report for 1986 and respectfully recommends:

1. That Offers to Purchase the property at the rear of Abbot Drive executed by the following property owners be approved and completed.

	<u>Owner</u>	<u>Address</u>	<u>Area</u>	<u>Purchase Price</u>
1.	Ronald Jackart Jacqueline Jackart	64 Abbot Dr.	1338.8 sq.ft.	\$1,004.00
2.	Jean-Louis Thibault Donora Thibault	60 Abbot Dr.	1190.9 sq. ft.	\$ 893.00
3.	Randy Nelson Donna Nelson	56 Abbot Dr.	1129.9 sq. ft.	\$ 847.00
4.	Salvatore Girgenti Teresa Girgenti	52 Abbot Dr.	979.9 sq. ft.	\$ 734.00
5.	Mihran Tcholakian Koharig Tcholakian	23 Indian Cr.	490 sq. ft.	\$ 370.00
6.	William Palios	27 Indian Cr.	400 sq. ft.	\$ 300.00

NOTE: The parcels being sold have been deemed surplus to municipal requirements. The exact area is to be determined by a survey and the purchase price is to be calculated by applying a rate of \$.75 per square foot to the area, as defined by the survey. The City Treasurer is holding a \$100.00 deposit from each of these property owners, pending approval of these transactions. Proceeds of this sale are to be credited to Account No. 0280-11.

2. That the total holdback in the amount of \$18,329.45 be released to Delmar Construction Ltd. for the completion of the contract, P.O. No. 19494 for the Pipeline Park - Homeside ONIP, pending receipt by the Treasury Department of the necessary release forms from the contractor and City Solicitor's Department.

3. (a) That the firm Booth Aquatic Research Inc. continue to be retained by the City to assist in preparing an Application for an Exemption Order for the Hamilton Waterfront Master Plan at a cost not to exceed \$25,000.
- (b) That the costs be charged to Account 0405-G4626-6. Sufficient funds are available and were approved by City Council on 1985 June 25 for clean-up purposes.

NOTE: At its meeting held 1985 December 10, City Council retained the above-noted firm to assist in the preparation of the Contaminated Waste Management Plan for the waterfront lands. In order to retain continuity, it is being recommended that Booth Aquatic Research Inc. continue to work with the City to prepare documentation necessary to apply to the Ministry of the Environment for an Exemption Order under the Environmental Assessment Act.

4. (a) That the firm Berridge, Lewinberg Associates be retained to assist in the preparation of the Application for an Exemption Order for the Hamilton Waterfront Master Plan at a cost not to exceed \$20,000.
- (b) That these costs be charged to Account No. 0405-G4626-6. Sufficient funds are available and were approved by City Council on 1985 June 25 for clean-up purposes.

NOTE: At its meeting held 1985 December 10, City Council retained the services of Joe Berridge to assist in the preparation of the Contaminated Waste Management Plan for the waterfront lands. In order to maintain continuity, it is respectfully recommended to retain Berridge, Lewinberg Associates to assist in preparing the Application for an Exemption Order by advising on the continuing feasibility of the environmentally sensitive elements of the Master Plan approved by City Council 1985 October 29.

5. (a) That the Challenge '86 Programme be applied for through the Regional Planning Department to assist in preparing a study on Park Development Priorities.
- (b) That the Finance Committee be requested to recommend the method of financing the City's portion of this Programme being \$10,000.

NOTE: For the information of the members of Council, the Parks and Recreation Committee at its meeting on 1986 February 18 approved a Terms of Reference for the proposed study on Park Development Priorities. Since the Project amounts to a major study, it is being recommended that 3 students be hired during the summer under the Challenge '86 Programme with the City supplementing the wages at Union rates. It is estimated that the total cost of the Project will be \$17,000. (\$14,000 for wages; \$3,000 for cartographic expenses) with \$7,000 of this payable by Challenge '86.

6. That the Chairman and Vice-Chairman or their designates be authorized to attend the Canadian Parks and Recreation Association Annual Conference on 1986 August 10-14 in Montreal.

NOTE: In addition to participating in this Conference, the City of Hamilton will be bidding to host the 1989 Canadian Parks and Recreation Association Annual Conference.

Respectfully Submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale  
Secretary  
1986 February 17









## REPORT OF THE PLANNING AND DEVELOPMENT

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its FIFTH Report for 1986 and respectfully recommends:

1. That approval be given to Zoning Application 85-106, Joseph Chiarelli, owner, for a modification to the established "E-3" (High Density Multiple Dwellings, etc.) District regulations for property located at No. 87 August Street, as shown on the attached plan marked as APPENDIX "A," on the following basis:
  - (a) That the "E-3" (High Density Multiple Dwellings, etc.) District regulations as contained in Section 11C of Zoning By-law No. 6593, applicable to the subject lands be modified to include the following variance as a special requirement.
    - (i) That notwithstanding the provisions of Section 11C(1) of By-law No. 6593, law offices shall be permitted within the existing building.
  - (b) That the amending by-law be added to Section 19B of zoning by-law No 6593 as Schedule S-949; and that the subject lands on Zoning District Map E-5 be notated S-949;
  - (c) That the City Solicitor be directed to prepare a by-law to amend Zoning By-law No. 6593 and Zoning District Map E-5;
  - (d) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area.

### EXPLANATORY NOTE:

The purpose of the by-law is to modify the established "E-3" (High Density Multiple Dwellings, etc.) District regulations applicable to property located at No. 87 Augusta Street, as shown on the attached plan marked as APPENDIX "A."

The effect of the by-law is to permit, in addition to the "E-3" (High Density Multiple Dwellings, etc.) District uses, law offices within the existing building.



2. 1 That approval be given to Official Plan Amendment No. 35 to establish a change in land use designation from "Residential" to "Commercial" for the lands located at the northwest corner of Upper Gage Avenue and Lockton Crescent shown as Block "1" on the attached map marked as APPENDIX "B" and that the City Solicitor be directed to prepare a By-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs.
- 2 That approval be given to amended Zoning Application 85-82, H.R.S. Investments Ltd., prospective owner, for a change in zoning from "DE" (Low Density Multiple Dwellings) District modified, to "G" (Neighbourhood Shopping Centre, etc.) District for the lands located at the northwest corner of Upper Gage Avenue and Lockton Crescent, shown as Block "1," and modifications to the "G" (Neighbourhood Shopping Centre, etc.) District regulations applicable to the lands shown as Blocks "1" and "2" on the attached map marked as APPENDIX "B," on the following basis:
- a) That the subject lands shown on Block "1" on APPENDIX "B" be rezoned from "DE" (Low Density Multiple Dwellings) District to "G" (Neighbourhood Shopping Centre, etc.) District;
  - b) That notwithstanding Subsection 4(i) of Table 1 of Section 18A of Zoning By-law No. 6593, a minimum of 312 parking spaces shall be provided;
  - c) That notwithstanding Table 4 of Section 18A of zoning By-law No. 6593, a minimum of 2 loading spaces having a minimum length of 18.0 m, and a minimum width of 3.7 m and a minimum height of 4.3 m shall be provided;
  - d) That the "G" (Neighbourhood Shopping Centre, etc.) District regulations as contained in Section 13 of Zoning By-law No. 6593 be modified to include the following variance as a special requirement:
    - i) That no vehicular access, loading and unloading shall be permitted from Lawson Street.
  - e) That the amending By-law be added to Section 19B of Zoning By-law No. 6593, as Schedule S-156a, and that the subject lands on Zoning District Map E38A be notated as S-156a;

- f) That the City Solicitor be directed to prepare a By-law to amend Zoning By-law No. 6593 and Zoning District Map E38A;
- g) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 35; and,
- h) That the Lawfield Neighbourhood Plan be amended by redesignating the subject lands from "Attached Housing" to "Commercial."

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a change in zoning from "DE" (Low Density Multiple Dwellings) District modified, to "G" (Neighbourhood Shopping Centre, etc.) District for lands located at the north-west corner of Upper Gage Avenue and Lockton Crescent, shown on Block "1" on the attached map marked as APPENDIX "B."

The effect of the By-law is to permit the expansion of the existing commercial plaza to the north. In addition, the By-law provides for the following variances and restriction to Blocks "1" and "2":

- o that a minimum of 312 parking spaces be provided instead of the required 324 spaces;
- o that a minimum of 2 loading spaces be provided instead of the required 3 spaces; and,
- o that no vehicular access, loading or unloading shall be permitted from Lawson Street.

- 3. That approval be given to Amended Zoning Application 85-95, Ontario Land Corporation, owner, requesting a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District for the lands located on the south side of Limeridge Road East between Upper Sherman Avenue and the Hydro Transmission Corridor, as shown on the attached plan marked as APPENDIX "C", on the following basis:

- a) That the subject lands be rezoned from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District;
- b) That the City Solicitor be directed to prepare a By-law to amend Zoning by-law No. 6593 and zoning District Maps E27A and E27B;

- c) That the proposed change in zoning is in conformity with the Official Plan for the Hamilton Planning Area; and,
- d) That the Thorner Neighbourhood Plan be amended by redesignating the portion of the subject lands designated as "Low-Density Apartment" to "Attached Housing."

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a change in zoning from "AA" (Agricultural) District to "RT-20" (Townhouse-Maisonette) District for the property located on the south side of Limeridge Road East between Upper Sherman Avenue and the Hydro Transmission Corridor, as shown on APPENDIX "C."

The effect of the By-law is to permit construction of townhouses on the subject lands.

4. That approval be given to an amended Zoning Application 85-104, Dr. Nenad Gagic, owner and prospective owner, requesting a change in zoning from "D" (Urban Protected Residential, One and two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District for properties located at Nos. 304, 306, 310, 312, 316, 318, 320, 322, 324 and 326 Victoria Avenue North, as shown on the attached plan marked as APPENDIX "D," to permit a 5 storey medical building, housing medical offices, laboratories , etc., on the following basis:
  - a) That approval be given to Official Plan Amendment No. 36 to establish a site specific amendment to redesignate properties at Nos. 304, 306, 310, 312, 316, 318, 320, 322, 324 and 326 Victoria Avenue North, as shown on the attached plan marked as APPENDIX "D," from "Residential" to a "Commercial" land use designation, and that the City Solicitor be directed to prepare a by-law to adopt this Official Plan Amendment for submission to the Ministry of Municipal Affairs.
  - b) That the subject lands be rezoned from "D" (Urban Protected Residential One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District;
  - c) That the "H" (Community Shopping and Commercial, etc.) District provision as contained in Section 14 of Zoning By-law No. 6593 applicable to the subject lands be modified to include the following variances as special requirements.



- i) That notwithstanding Section 14(1) the use of the first floor of any building shall be limited to: physiotherapy, x-ray facilities, medical laboratories and a pharmacy;
  - ii) That notwithstanding Section 14(1) the use of the second, third, fourth and fifth floors shall be limited to medical offices;
  - iii) That notwithstanding Section 14(3)(i) a minimum front yard of a depth of at least 1.0 m shall be provided; and,
  - iv) That notwithstanding Section 14(2), no building shall exceed five storeys in height.
- d) That the "Parking and Loading Requirements" as contained in Section 18A of zoning By-law No. 6593, applicable to the subject lands be modified to include the following variances as special requirements:
  - i) That notwithstanding Section 4(a), 4(c) and 4(i) of Table 1, a minimum of 93 parking spaces shall be provided.
  - ii) That Section 18A(9) shall not apply;
  - iii) That notwithstanding Section 18A(11)(b) no parking space shall be located closer than 3.0 m to the front lot line; and
  - iv) That Table 4 of Section 18A shall not apply.
- e) That the amending By-law be added to Section 19B of zoning By-law No. 6593 as Schedule S-940 and that the subject lands on Zoning District Map E-12 be notated S-940:
- f) That the City Solicitor be directed to prepare a By-law to Amend Zoning By-law No. 6593 and Zoning District Map E-12;
- g) That the Landsdale Neighbourhood Plan be amended by redesignating the subject land from "Residential" to "Commercial."



- h) That the proposed change in zoning will be in conformity with the Official Plan for the Hamilton Planning Area upon approval of Official Plan Amendment No. 36.
- i) That By-law No. 79-275 - To Establish Site Plan Control, be amended to establish Site Plan Control on the subject lands.
- j) That the amending By-law include the repeal of By-law No. 86-13, to amend Zoning By-law No. 6593 respecting land located at the Municipal Nos. 304 to 318 Victoria Avenue North.

**EXPLANATORY NOTE:**

The purpose of the by-law is to provide for a change in zoning from "D" (Urban Protected Residential-One and Two-Family Dwellings, etc.) District to "H" (Community Shopping and Commercial, etc.) District, modified for properties located at Nos. 304 to 326 Victoria Avenue North, as shown on the attached plan marked as APPENDIX "D."

The effect of the By-law is to permit the construction of a 5 storey medical clinic with a pharmacy, x-ray facilities, medical laboratories and physiotherapy on the first floor, and medical offices on the second, third, fourth and fifth floors.

In addition, the By-law provides for the following variances:

- a a front yard of a minimum depth of 1.0 m shall be provided whereas 6.0 m is required;
- b a minimum of 93 parking spaces shall be provided;
- c no loading spaces shall be provided whereas 2 spaces are required (Table 4 of Section 18A);
- d parking spaces shall be permitted no closer than 3.0 m to the front lot line whereas a set back of 6.0 m is required.
- e manoeuvring space for the parking area shall be permitted on the adjacent alley to the east, whereas manoeuvring space is required to be located on the same lot where the principle use, building or structure is located (Section 18A(9)).

5. That Zoning Application ZA-85-105, Anastasios Tsakas, owner requesting a modification to the established "H" (Community Shopping and Commercial, etc.) regulations for the property located at No. 918 Main Street West (Westdale Burger Restaurant) to permit an outdoor patio having a seating capacity of 24 persons in conjunction with the existing restaurant with an existing seating capacity of 25 be denied for the following reason:
  1. It contravenes a Supreme Court of Ontario Judgment, made on October 18, 1978, applicable to the subject property which limits the seating capacity of the restaurant to not more than 25 seats, for a 10 year period of time which has not expired.
6. That Zoning Application 85-97, Walter Galdenzi, prospective owner, for a further modification to the established "G" (Neighbourhood Shopping Centre, etc.) District regulations, applicable to the property located at the south-west corner of Mohawk Road West and Upper Horning Road, municipally known as 366 Mohawk Road West, to permit a restaurant and variety store, be denied for the following reasons:
  1. The proposal would be incompatible with established residential development in the surrounding area.
  2. The proposal will have a negative impact on the existing traffic flows in the area.
  3. The proposed restaurant and variety store are more intensive than the permitted medical and professional offices, in that they will generate the most traffic during off-business hours which may have a negative impact on the surrounding residents.
  4. There is already sufficient commercial development nearby, a shopping plaza at the corner of Mohawk Road West and Magnolia Drive, to serve the needs of the surrounding residents.
7. That the Region be requested to grant a one year extension to the draft approval for Oakland Park Extension No. 4 Subdivision.

8. For the information of the Members of City Council, the Planning and Development Committee, on the recommendation of the Central Area Plan Implementation Committee has established an Urban Design Committee. The Terms of Reference of the Committee are attached hereto as APPENDIX "E."
9. a) That the Sale of Lot 5, Plan M-227, Hamilton Mountain Industrial Park No. 1 to Joseph and Ann Rosati be terminated and the \$4,000. deposit be returned to the Purchaser without interest.
- b) That Item 18 of the 25th Report of the Planning and Development Committee as approved by City Council on September 24, 1985 be rescinded.

**EXPLANATORY NOTE:**

On February 3, 1986, the Real Estate Department received a letter from Mr. and Mrs. Joseph Rosati in which they notified the City that due to the lack of financial support of this project by lending institutions, they are unable to proceed with the purchase of Lot 5.

10. That the Building Commissioner be authorized to issue a Demolition Permit for the demolition of the residential building as outlined below for which application has been processed through the Building Department and the Planning and Development Committee.

**841 Upper Wentworth**

11. That the request of Mr. Clarence Gill, 248 Stanley Avenue that the City incur the expense of carrying out remedial work to clean the masonry and replace stair stringers on the rear porch of his residence at an approximate cost of \$2,750., as a result of rehabilitation work done on his property under the Federal Government's Residential Rehabilitation Assistance Programme be denied.

**EXPLANATORY NOTE:**

The Planning and Development Committee concurs with the recommendation of the City Solicitor as outlined in his letter of December 24, 1985 that no further action should be taken by the City on Mr. Gill's complaints as the loan programme's standards and the Ontario Building Code have been satisfied.

12. That the Department of Community Development be authorized to process grants and or loans in an amount not to exceed \$7,500. The actual amount of grant or loan to be determined by inspection of the property under The Property Standards By-law No. 74-74 and pursuant to Regulation 506 (R.R.O. 1980) under the Housing Development Act for the Ontario Home Renewal Programme (O.H.R.P.) and pursuant to By-law No. 78-113 for the Hamilton Rehabilitation Programme (H.A.R.P.)

That the Officials of the Corporation involved in this Programme be authorized to take all action that is necessary to process these loan applications and that the Mayor and City Clerk be authorized to execute on behalf of the City any documents required in connection with the Ontario Home Renewal Programme and Hamilton Rehabilitation Programme.

#### Ontario Home Renewal Programme

1. J. Burrow  
136 Julian Avenue
2. S. Scali  
478 John Street North
3. A. Campbell  
7 Cumberland Avenue
4. J. Bretherton  
105 Edgemont Street North

#### Hamilton Rehabilitation Programme

1. R. Mleczko  
776 Upper Ottawa Street
2. P. Odrzywolski  
80 Somerset Avenue
3. J. MacArthur  
51 Beulah Avenue
4. J. Mathes  
28 West 3rd Street

13. That leave be grant to introduce the following Bills:

Bill D-16	By-law to Amend Zoning By-law No. 6593 Respecting Land Located on the West Side of Upper Paradise Road, in the Area North of Megna Drive.
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- Bill D-17      By-law to Repeal By-law No. 84-188  
Respecting Land Located at Municipal  
No. 154 Grenfell Street.
- Bill D-18      By-law to Adopt Official Plan Amendment  
No. 34 Respecting Lands Located on the  
West Side of Upper James Street, South  
of Fennell Avenue.
- Bill D-19      By-law to Adopt Addendum No. 1 to the  
Downtown Core Area Redevelopment Plan.
- Bill D-20      By-law to Amend Zoning By-law No. 6593  
Respecting Lands Located at the  
South-West corner of Stonechurch Road  
West and Garth Street.

Respectfully submitted,

Alderman John Smith, Chairman,  
Planning and Development  
Committee

John D. Thompson, Secretary,  
Planning and Development  
Committee

JDT:tb

T.H. & B. R.WY.

J/S-409

T. H. & B. RWY

BECKLEY ST.

HAYMARKET  
STREET

JOHN

# SOUTH

**BAILLIE—ST.**

STREET

STREET

STREET.

YOUNG

STREET

SOUTH

CATHARINE

CR-2/S  
-572a&b

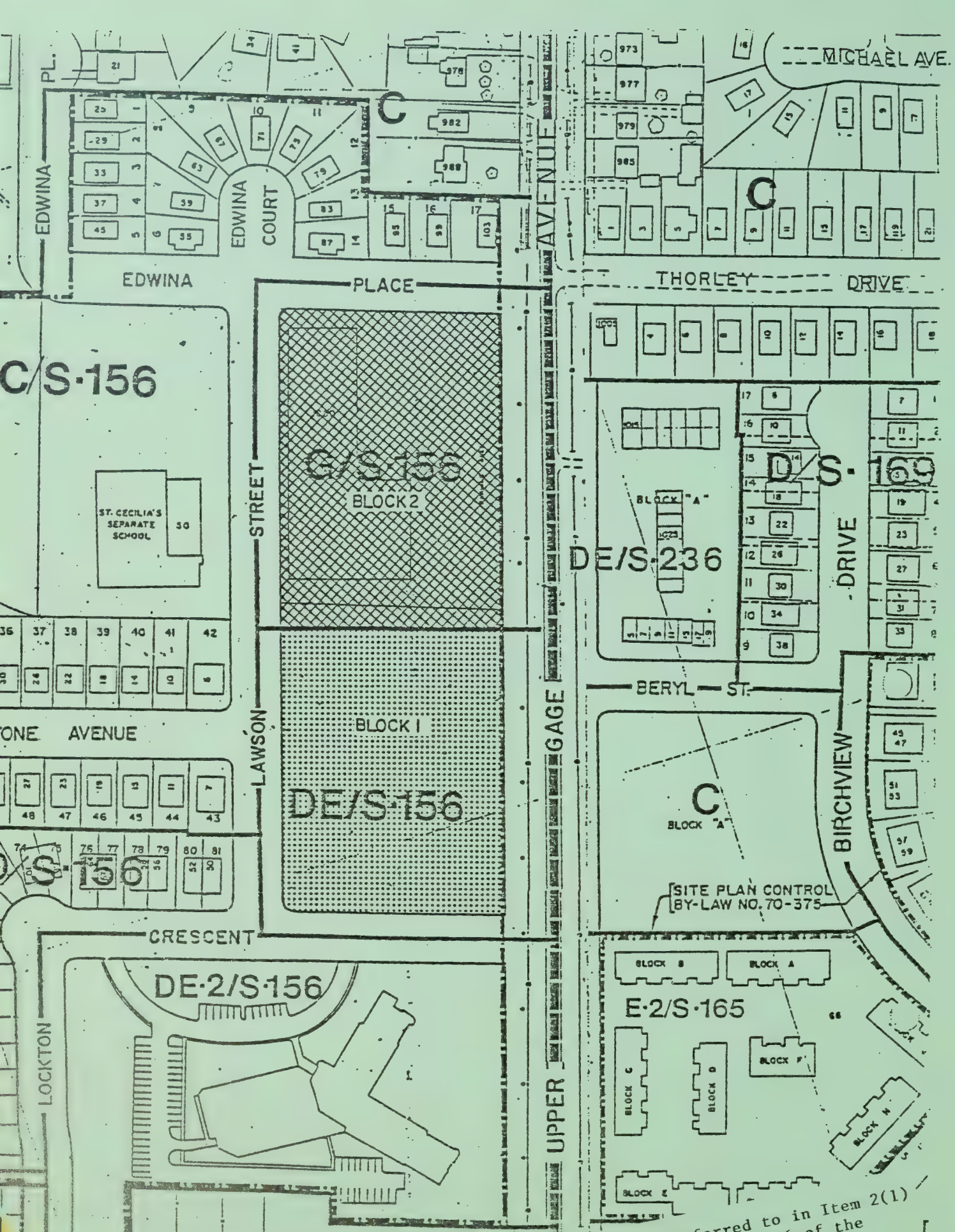
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-601

E-3/S-7

## SITE OF THE APPLICATION

Appendix "A" as referred to in Item 1 of  
the Fifth Report for 1986 of the  
Planning & Development Committee





LEGEND:

BLOCK 2

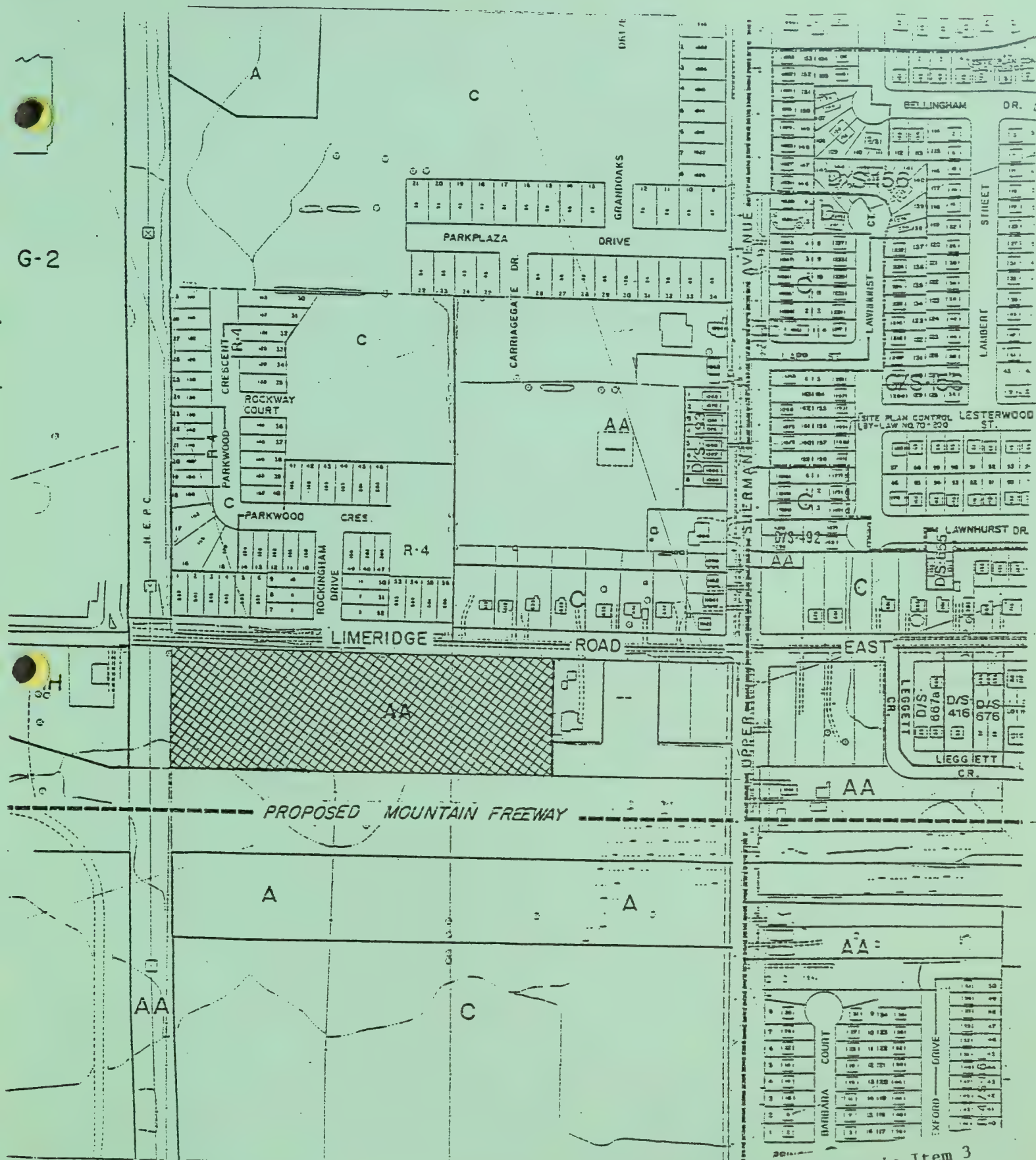
SITE OF THE APPLICATION

D-12

Appendix "B" as referred to in Item 2(1) of the Fifth Report for 1986 of the Planning & Development Committee

62

G-2



APPENDIX A 1

LEGEND

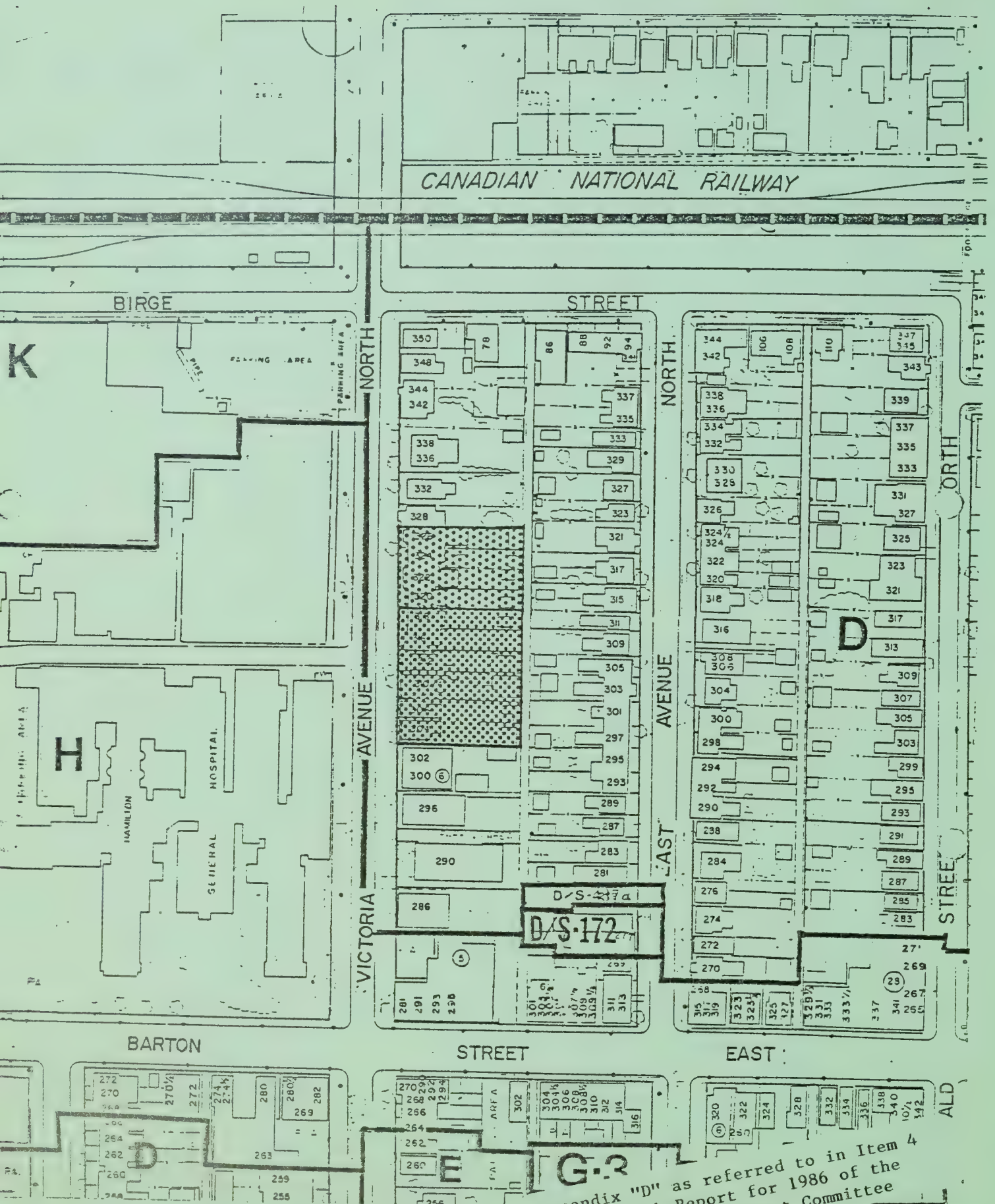


SITE OF THE APPLICATION

Appendix "C" as referred to in Item 3  
of the Fifth Report for 1986 of the  
Planning & Development Committee







Appendix "D" as referred to in Item 4  
of the Fifth Report for 1986 of the  
Planning and Development Committee



SITE OF THE APPLICATION

TERMS OF REFERENCEURBAN DESIGN COMMITTEE

## INTRODUCTION

Urban design is a component of city planning which addresses the inter-relationships of buildings and open spaces. It is generally concerned with the form and appearance of the structures and open space in which land use activities take place. Specifically, it is concerned with the following visual and functional matters:

## Visual

- massing of buildings
- relationship of buildings to each other
- appearance of individual buildings
- the definition of open space by buildings
- the appearance of open spaces including streets, parks, parking lots, and privately owned areas visible to the public

## Functional

- pedestrian linkages between buildings, between buildings and open space, and between open space and open space
- integration of the pedestrian system with the vehicular system
- solar access
- shelter from wind and the elements
- defensible open space - design that reduces crime

The purpose of urban design is to improve the quality of life and strengthen the economy.

Environmental excellence brings the following benefits:

- the enjoyment of being in a delightful environment enriches everyday living
- a confidence and spirit of well being grows out of pride in a beautiful city
- an attractive physical environment contributes to attracting people both to a particular area in the city and to the city itself. Business will be encouraged to remain and expand
- a good city image will attract business to the city
- a visually attractive city which works well will attract tourism and conventions
- good urban design can contribute to the growth of a city and create more tax assessment and employment

Appendix "E" as referred to in Item 8  
of the Fifth Report for 1986 of the  
Planning and Development Committee



There are significant opportunities for urban design in Hamilton, particularly in the Central Area which already contains many positive urban design features and where change is likely. A small urban design section was set up in 1974 within the Planning and Development Department. Some urban design initiatives have already begun, e.g. downtown streetscaping, heritage district studies, the proposed + 15 walkway system and the waterfront study.

However, it is felt that a greater impetus for urban design is needed. Currently urban design responsibilities are fragmented. It is felt that an advisory committee similar to LACAC and CAPIC would provide a suitable focus for urban design.

It is, therefore, proposed that a committee be set up under the following terms:

#### MANDATE

The responsibilities of the Urban Design Committee are to advise Council on urban design matters. Urban Design Committee will report to the Planning and Development Committee. Its priority will be the Central Area and it will work with the general urban design policies of the Official Plan and the more detailed urban design policies of the Central Area Plan. Specifically, the Urban Design Committee will be responsible for:

1. Generating and reviewing urban design policies.
2. Establishing urban design guidelines for various areas taking into account:
  - a) massing of buildings including heights, setbacks and skyline;
  - b) architectural relationship of buildings to each other including textures, material, detailing and scale;
  - c) the definition of open spaces including enclosure, views, vistas and focal points;
  - d) the treatment of open spaces including streetscaping, landscaping, screening, parking lots, art forms, advertising, etc.;
  - e) the appearance of streetscape including building restoration, cleaning and painting, clutter and advertising signs;
  - f) linkages between buildings and buildings, buildings and open space and open space and open space, including interior walkways, underground walkways, exterior pedestrian links, access for the disabled, etc.;
  - g) integration of the pedestrian and vehicular system;
  - h) weather mitigation including access to sunlight in open spaces, passive solar heating, liveable winter cities, minimizing wind tunnel effects, etc.; and,
  - i) defensible open space - designing environments to reduce crime.

Guidelines will be prepared for both infill and comprehensive development and for both public and privately owned properties. They may be in the form of general guidelines or design briefs for specific sites. The means of implementing the strategy, e.g. legal measures such as zoning and site plan control, negotiation, funding, education and promotion will be specified.

3. Providing information, education and promotion on urban design matters including:
  - urban design awards
  - literature
  - presentations
  - displays
  - seminars
4. Ensuring guidelines and policies are followed by setting up a system for:
  - input into specific proposals
  - reviewing and monitoring results of development on the ground.
5. Ensuring public participation in appropriate urban design matters.
6. Liaising with other committees which have urban design interests, e.g. Central Area Plan Implementation Committee (CAPIC), Downtown Action Plan Co-ordinating Committee (DAPCC), Local Architectural Conservation Advisory Committee (LACAC), Waterfront Implementation Committee (WIC), etc. The Urban Design Committee is intended to supplement these committees rather than supplant their functions.

Liaising with departments and agencies which have urban design interests, etc., Planning and Development Department, City Architects Department, Community Development Department, Ontario Association of Architects, etc.
7. Advising on legislation and funding for urban design.
8. Engaging in organizational planning by:
  - establishing goals and objectives
  - examining trends and issues
  - identifying options and selecting a strategy
  - establishing work program priorities
  - implementing the strategies and work programs
  - monitoring and evaluation
  - reviewing committee's operation and role



## ADMINISTRATION

The Urban Design Committee will include:

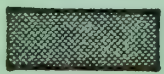
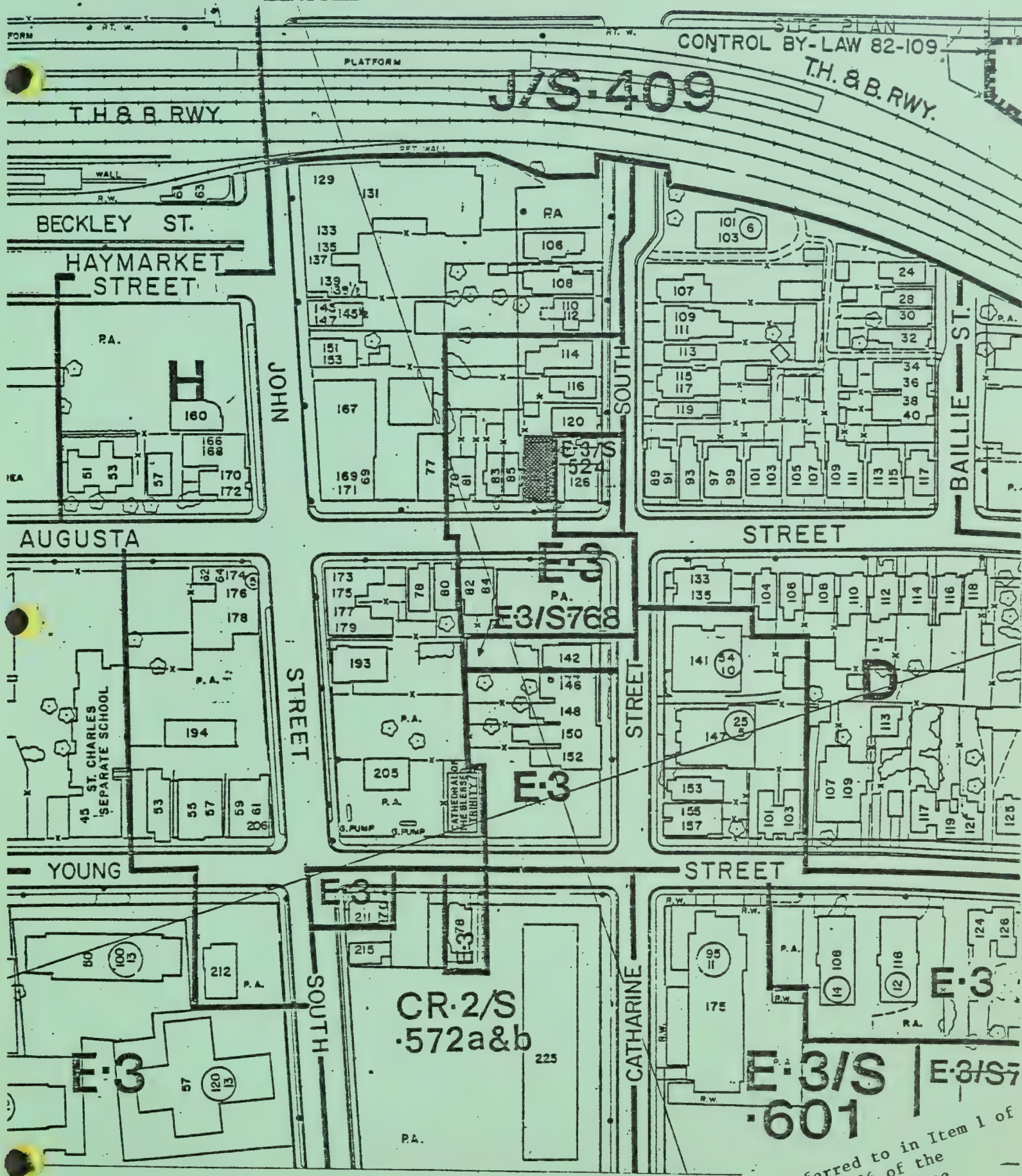
- a representative of CAPIC
- a representative of LACAC
- a representative of the design professions e.g. Architect, Landscape Architect, Urban Designer
- a representative of the Central Area Business Community
- a representative of the Planning and Development Committee

These members will have an interest in urban design but not necessarily be professionally qualified. Staff will be relied upon for technical expertise.

The core group will add other members to the committee as they feel appropriate.

The committee will elect a Chairman and Vice-Chairman. Meetings will be held at the call of the Chairman. Other administrative matters will be dealt with by the Committee. A staff person from the Planning and Development Department will provide co-ordination. Staff of City and Regional Departments will be available when necessary.

DG/pb.



SITE OF THE APPLICATION

Appendix "A" as referred to in Item 1 of the Fifth Report for 1986 of the Planning & Development Committee





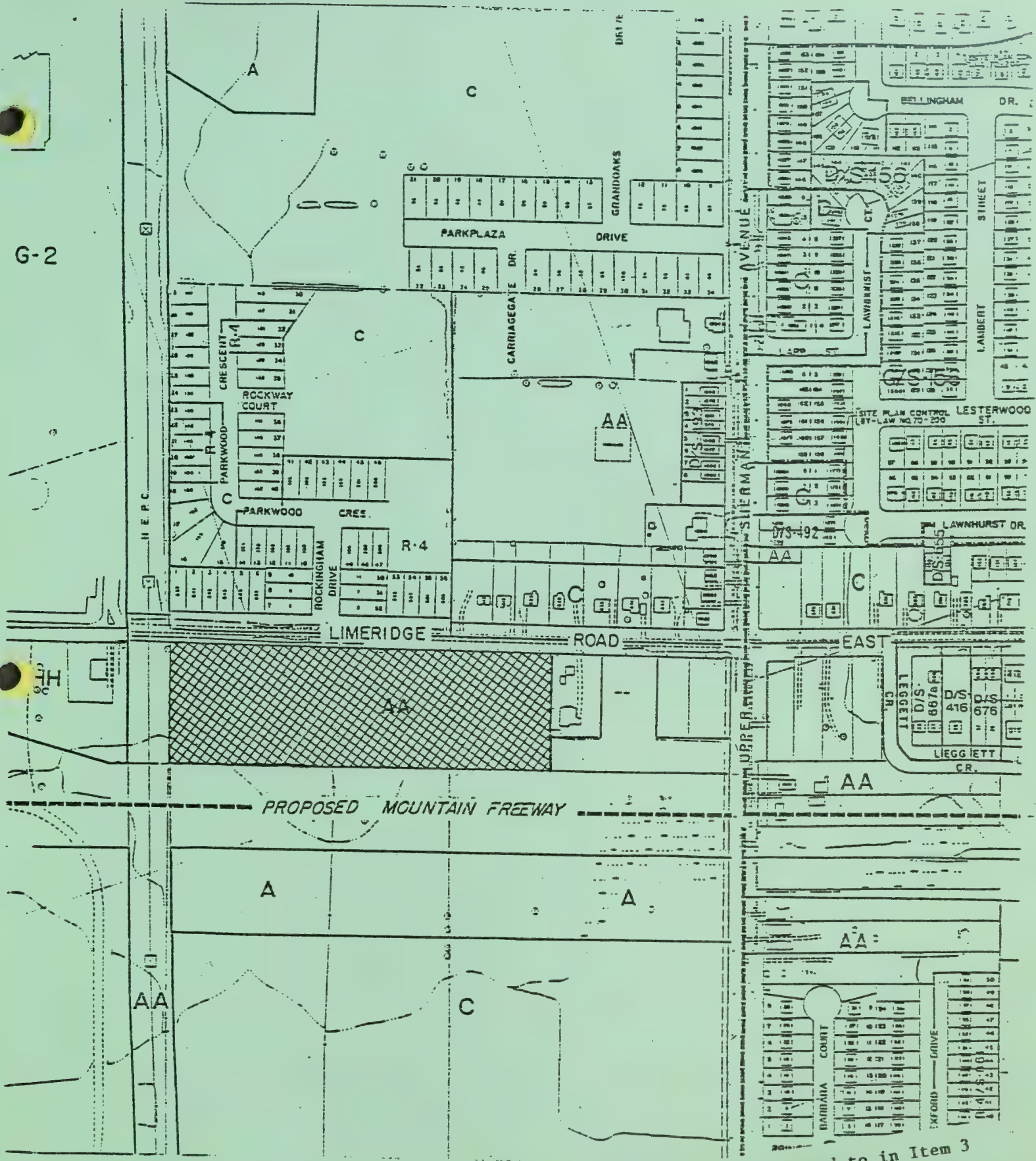
Appendix "B" as referred to in Item 2(1) of the Fifth Report for 1986 of the Planning & Development Committee

SITE OF THE APPLICATION

D-20



G-2



APPENDIX A !

LEGEND



SITE OF THE APPLICATION

Appendix "C" as referred to in Item 3  
of the Fifth Report for 1986 of the  
Planning & Development Committee







TERMS OF REFERENCEURBAN DESIGN COMMITTEE

## INTRODUCTION

Urban design is a component of city planning which addresses the inter-relationships of buildings and open spaces. It is generally concerned with the form and appearance of the structures and open space in which land use activities take place. Specifically, it is concerned with the following visual and functional matters:

## Visual

- massing of buildings
- relationship of buildings to each other
- appearance of individual buildings
- the definition of open space by buildings
- the appearance of open spaces including streets, parks, parking lots, and privately owned areas visible to the public

## Functional

- pedestrian linkages between buildings, between buildings and open space, and between open space and open space
- integration of the pedestrian system with the vehicular system
- solar access
- shelter from wind and the elements
- defensible open space - design that reduces crime

The purpose of urban design is to improve the quality of life and strengthen the economy.

Environmental excellence brings the following benefits:

- the enjoyment of being in a delightful environment enriches everyday living
- a confidence and spirit of well being grows out of pride in a beautiful city
- an attractive physical environment contributes to attracting people both to a particular area in the city and to the city itself. Business will be encouraged to remain and expand
- a good city image will attract business to the city
- a visually attractive city which works well will attract tourism and conventions
- good urban design can contribute to the growth of a city and create more tax assessment and employment

Appendix "E" as referred to in Item 8  
of the Fifth Report for 1986 of the  
Planning and Development Committee



There are significant opportunities for urban design in Hamilton, particularly in the Central Area which already contains many positive urban design features and where change is likely. A small urban design section was set up in 1974 within the Planning and Development Department. Some urban design initiatives have already begun, e.g. downtown streetscaping, heritage district studies, the proposed + 15 walkway system and the waterfront study.

However, it is felt that a greater impetus for urban design is needed. Currently urban design responsibilities are fragmented. It is felt that an advisory committee similar to LACAC and CAPIC would provide a suitable focus for urban design.

It is, therefore, proposed that a committee be set up under the following terms:

#### MANDATE

The responsibilities of the Urban Design Committee are to advise Council on urban design matters. Urban Design Committee will report to the Planning and Development Committee. Its priority will be the Central Area and it will work with the general urban design policies of the Official Plan and the more detailed urban design policies of the Central Area Plan. Specifically, the Urban Design Committee will be responsible for:

1. Generating and reviewing urban design policies.
2. Establishing urban design guidelines for various areas taking into account:
  - a) massing of buildings including heights, setbacks and skyline;
  - b) architectural relationship of buildings to each other including textures, material, detailing and scale;
  - c) the definition of open spaces including enclosure, views, vistas and focal points;
  - d) the treatment of open spaces including streetscaping, landscaping, screening, parking lots, art forms, advertising, etc.;
  - e) the appearance of streetscape including building restoration, cleaning and painting, clutter and advertising signs;
  - f) linkages between buildings and buildings, buildings and open space and open space and open space, including interior walkways, underground walkways, exterior pedestrian links, access for the disabled, etc.;
  - g) integration of the pedestrian and vehicular system;
  - h) weather mitigation including access to sunlight in open spaces, passive solar heating, liveable winter cities, minimizing wind tunnel effects, etc.; and,
  - i) defensible open space - designing environments to reduce crime.

Guidelines will be prepared for both infill and comprehensive development and for both public and privately owned properties. They may be in the form of general guidelines or design briefs for specific sites. The means of implementing the strategy, e.g. legal measures such as zoning and site plan control, negotiation, funding, education and promotion will be specified.

3. Providing information, education and promotion on urban design matters including:
  - urban design awards
  - literature
  - presentations
  - displays
  - seminars
4. Ensuring guidelines and policies are followed by setting up a system for:
  - input into specific proposals
  - reviewing and monitoring results of development on the ground.
5. Ensuring public participation in appropriate urban design matters.
6. Liaising with other committees which have urban design interests, e.g. Central Area Plan Implementation Committee (CAPIC), Downtown Action Plan Co-ordinating Committee (DAPCC), Local Architectural Conservation Advisory Committee (LACAC), Waterfront Implementation Committee (WIC), etc. The Urban Design Committee is intended to supplement these committees rather than supplant their functions.

Liaising with departments and agencies which have urban design interests, etc., Planning and Development Department, City Architects Department, Community Development Department, Ontario Association of Architects, etc.
7. Advising on legislation and funding for urban design.
8. Engaging in organizational planning by:
  - establishing goals and objectives
  - examining trends and issues
  - identifying options and selecting a strategy
  - establishing work program priorities
  - implementing the strategies and work programs
  - monitoring and evaluation
  - reviewing committee's operation and role



## ADMINISTRATION

The Urban Design Committee will include:

- a representative of CAPIC
- a representative of LACAC
- a representative of the design professions e.g. Architect, Landscape Architect, Urban Designer
- a representative of the Central Area Business Community
- a representative of the Planning and Development Committee

These members will have an interest in urban design but not necessarily be professionally qualified. Staff will be relied upon for technical expertise.

The core group will add other members to the committee as they feel appropriate.

The committee will elect a Chairman and Vice-Chairman. Meetings will be held at the call of the Chairman. Other administrative matters will be dealt with by the Committee. A staff person from the Planning and Development Department will provide co-ordination. Staff of City and Regional Departments will be available when necessary.

DG/pb.





## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Fifth Report for 1986 and respectfully recommends:

1. That permission be granted to the Kiwanis to use the Council Chambers and Rooms 264 and 233 on Friday, 1986 May 2 from 6:00 to 9:30 p.m. for a Super Star Concert from the Kiwanis Music Festival.

NOTE: This evening will be open to all citizens and there will be no admission charge.

2. That permission be granted to the MacNab Street Y.W.C.A. to use the City Hall forecourt on Thursday, 1986 June 19 from 9:00 a.m. to 3:30 p.m. to hold their annual Strawberry Festival.
3. That permission be granted to the Department of Culture and Recreation to use the east section of the Council Chambers, Rooms 264, 233, 219, 213 on Sunday, 1986 March 2 from 9:00 a.m. to 4:00 p.m. for the purpose of hosting a meeting of the Hamilton Sports Council.
4. That permission be granted to the Career Symposium Organization to hang a banner from the balcony of City Hall from 1986 March 24 to 1986 April 9 in connection with the Symposium being sponsored for educators and students at the Convention Centre on 1986 April 8.

NOTE: The Career Symposium is for educators and students and is being sponsored by the Industry Education Council, the Ad and Sales Club and the Chamber of Commerce. This is not a profit making venture, however, a fee will be charged for certain sessions and to attend the banquet.

5. Approval of the action of the Legislation Committee in granting permission to the Estonian Society of Hamilton to fly their flag from City Hall from 1986 February 21 to 1986 February 25 on the 68th Anniversary of the Independence of Estonia.
6. That permission be granted to the United Way to use the Council Chambers on 1986 April 23 from 6:30 p.m. - 10:00 p.m. in connection with an Evening of Appreciation of Organized Labour which is being co-sponsored by the City of Hamilton.



7. That the City exercise its option to renew the Agreement with Kodak, Hamilton, Canada for the photocopier located in the City Clerk's Department, at an estimated cost of \$1,790. per month for the period ending 1988 November 30.

NOTE: This was the lowest of the two proposals received when the original tenders were called in 1984.

8. That the City exercise its option to renew the Agreement with Xerox, Hamilton, Canada for the two photocopiers located in the Service Department, at an estimated cost of \$3,425. per month for the period ending 1987 December 31.

NOTE: This was the lowest of the two proposals received when the original tenders were called in 1984.

9. (a) That two staff members be hired in the City Clerk's Department on a contract basis at a fair and equitable rate for a period of six months to enforce By-law 80-258-No Smoking By-law.

(b) That the Finance Committee recommend the method of financing.

NOTE: In order to assist in enforcing the City's No Smoking By-law 80-258, it is being recommended that two staff members be hired on a contract basis for a period of six months. The Committee was advised that the total cost to hire two staff members at a minimum rate would be \$12,532. However, the Committee directed that this be amended to provide that they be hired at a fair and equitable rate.

10. (a) That three additional street vendor locations be permitted in the vicinity of Copps Coliseum.

(b) That the City Solicitor be authorized and directed to amend By-law 85-85 to permit the following:

(i) That Street Vendors, who cease business for more than two weeks, be required to remove their stands;

(ii) That the following basis for selection of locations be as follows:

(a) First priority to local downtown businesses.

(b) Second priority to any business in Hamilton.

(c) Third priority to any resident of Hamilton.

(d) Fourth priority to non-residents.

and that a deadline of 30 days be given to all applicants within which to apply, from the date of the notice appearing The Spectator.

- (iii) That all sections referring to Services be eliminated (includes street musicians);
  - (iv) The sale of other goods as an accessory to the principal business of food and flower vendors (to be monitored by the staff committee);
  - (v) The cancellation of a street vendor's permit when the vendor has not commenced business by July 1st of the current year; fees to be refunded and the location re-assigned.
  - (c) That other Business Improvement Areas designated under Section 217 of the Municipal Act be given an opportunity to bring the program into their areas.
11. That the following tax adjustments recommended by the Tax Appeal Review Subcommittee meeting held on 1986 February 5, be approved:

Appeal	Amount			
	(1)	(2)	(3)	(4)
Schedule "A"			Tax	
Compassionate	Prior	Year-to-Date	Review	Total
	Year	1986	Committee	Year-to-Date
	<u>1985</u>		<u>Feb.5/86</u>	<u>1986</u>
	\$16,190.00	Nil	\$2,350.00	\$2,350.00
Schedule "B"	(1)	(2)	(3)	(4)
Business			Tax	
	Prior	Year-to-Date	Review	Total
	Year	1986	Committee	Year-to-Date
	<u>1985</u>		<u>Feb.5/86</u>	<u>1986</u>
	\$2,063,504.19	\$454,619.81	\$2,803.23	\$457,423.04
Schedule "C"	(1)	(2)	(3)	(4)
Realty			Tax	
	Prior	Year-to-Date	Review	Total
	Year	1986	Committee	Year-to-Date
	<u>1985</u>		<u>Feb.5/86</u>	<u>1986</u>
	\$262,474.83	\$142,676.52	\$1,845.10	\$144,521.62

12. That the Commonwealth Games Association of Canada be notified of the City's intent to bid on hosting the 1994 Commonwealth Games.

Respectfully submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale, Secretary  
Legislation Committee  
1986 February 17







## REPORT OF THE PERSONNEL COMMITTEE

To the Council of The Corporation of the City of Hamilton.

Members of Council:

The Personnel Committee presents its THIRD Report for 1986 and respectfully recommends:

1. That the City of Hamilton enter into an agreement with the City of Burlington to have a water tanker of the Burlington Fire Department respond on request of the Hamilton Fire Department to the Beach Boulevard area, south of the Burlington Canal. The rate for this service to be \$200.00 for the first hour and \$100.00 for each additional hour. The City Solicitor be authorized and directed to prepare the necessary agreement.

This agreement to be in place until such time as a watermain is installed on the Beach Strip, and is subject to concurrence of the Hamilton Professional Fire Fighters Association.

2. Approval of a Fair Wage Increase for the National Elevator and Escalator Association and International Union of Elevator Constructors, attached hereto as Schedule "A".
3. Approval of the following appointments:
  - (a) Mr. Joseph G. Pavelka to the position of Director of Public Works, Salary Schedule "B": \$60,581.04 - \$75,312.64 per annum (1985 rates). Mr. Pavelka to be paid \$63,878.88 per annum (the 2nd step of the range), effective March 1, 1986.
  - (b) Mrs. Bessie Spademan to the position of Assistant to the Director of Public Works, Salary Schedule "D": \$49,972.00 - \$61,762.00 per annum (1985 rates). Mrs. Spademan to be paid \$49,972.00 per annum (the 1st step of the range), effective March 1, 1986.
4. (a) Approval of the reclassification of the position of Information Clerk, City Clerk's Department, from Salary Schedule E-3R: \$10.613 per hour to Salary Schedule EE-3: \$9.832 - \$10.900 per hour.
  - (b) Mrs. E. Gallaher, incumbent, presently paid \$10.613 per hour, to be paid \$10.900 per hour (the maximum for the position), retroactive to February 1, 1983.

5. Approval of the awarding of the following contract:

(a) #52228 Ontario Inc., Hamilton, Ontario.

For dry cleaning uniform clothing for the Fire Department, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender at the following unit prices:

Uniform Trousers \$0.95, Uniform Tunics \$1.75, Raincoats \$2.00, Nylon Parkas \$2.00, Uniform Shirts \$0.49, Uniform Skirts \$0.95, Uniform Female Slacks \$0.95.

This contract to be for a period of 36 months. The City Solicitor to be authorized and directed to prepare the necessary contract.

Note: Lowest of three tenders received.

6. Approval of the Appointments and Terminations in permanent and temporary service with The Corporation of the City of Hamilton to February 12, 1986, as set out on the list attached hereto as Schedule "B".

Respectfully submitted,

Alderman M. Kiss, Chairman,  
Personnel Committee.

E. A. Simpson, Secretary,  
1986 February 19.

National Elevator and Escalator Association and International Union of Elevator  
Constructors - Fair Wage IncreaseOntario Provincial Agreement 1984-86Wage Rate and Benefit Increases - Effective May 1, 1985

Elevator Mechanic	\$19.69
Vacation Pay	2.36
Pension Plan	1.50
Welfare Plan	.48
Education Plan	<u>.045</u>
TOTAL PACKAGE	\$24.075

Probationary Helper I	55% of above rate	\$10.83
Probationary Helper II	60% of above rate	11.81
Helper I	70% of above rate	13.78
Helper II	75% of above rate	14.77
Improver Helper	80% of above rate	15.75
Adjuster	112.5% of above rate	22.15
Mechanic-In-Charge (4-9)	112.5% of above rate	22.15
Mechanic-In-Charge (10-19)	115% of above rate	22.64
Mechanic-In-Charge (20 +)	117% of above rate	23.04

Travelling Time and Expenses - Effective May 1, 1985

Mileage	\$ .27 per km
Expenses	\$ 50.00 per day
	\$350.00 per week



THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Miss Carmela Alletto	Typist Clerk II	Treasury	replacement for Mrs. K. Grywacheski - transferred	E-2	\$299.65 per week	Jan. 27/86
Mr. Richard Butterworth	Junior Architect	City Architect's	new position as approved	112	\$23,769.20 per annum	Jan. 13/86
Ms. Rosanna Didiomede	Typist Clerk II	Treasury	replacement for Ms. Pamela Collier - promoted	E-2	\$312.39 per week	Feb. 3/86
Mr. F. Digiambattista	Maintenance Man IV	Culture & Recreation	returning to former position	M-10	\$12.126 per hour	Jan. 7/86
Mr. George Faulkner	Arena Maintenance Man II	Trade Centre/Arena	replacement for Mr. Larry Taggart - returned to former position	M-7	\$11.091 per hour	Jan. 9/86
Mrs. K. Grywacheski	Parking Meter Clerk	Treasury	replacement for Ms. May Sevcik - deceased	E-2	\$299.65 per week	Jan. 27/86
Ms. Jennifer Hardie	Personnel Clerk III	Personnel	replacement for Mrs. Carol Rising - returned to former position	107	\$16,379.48 per annum	Jan. 27/86

Prepared February 12, 1986

**THE CORPORATION OF THE CITY OF HAMILTON**  
**APPOINTMENTS IN PERMANENT SERVICE**

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Sonia Light	Solicitor III	City Solicitor's	replacement for Mr. Rand Roszell - promoted	115	\$29,168.88 per annum	Jan. 13/86
Mr. Noel Miles	Welder (Ontario Certificate)	Central Garage Division of the Department of Public Works	replacement for Mr. Terry Cusick - resigned	D-15	\$12.836 per hour	Jan. 27/86
Mr. Ross Milko	Maintenance Man I	Property Maintenance Div. of the Real Estate Department	replacement for Mr. William Losier - retired	M-16	\$13.769 per hour	Dec. 30/85
Mr. Terry Mroz	Rink Attendant	Culture & Recreation	returning to former position	D-5	\$10.706 per hour	Jan. 3/86
Mr. Richard Oshaneck	Caretaker	Property Maintenance Div. of the Real Estate Department	replacement for Mr. Robert MacGregor - retired	B-2	\$382.16 per week	Jan. 6/86
Ms. Linda Parlee	Receptionist/ Secretary	Convention Centre	replacement for Ms. Laurel LaChance - promoted	102	\$14,282.32 per annum	Jan. 13/86
Mr. T. Propedo	Labourer	Public Works	returning to former position	D-5	\$10.706 per hour	Jan. 6/86

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Dolores Raycraft	Banquet Captain	Convention Centre	new position as approved	105C	\$19,599.32 per annum	Jan. 27/86
Mr. Larry Taggart	Rink Attendant	Culture & Recreation	returning to former position	D-5	\$10.706 per hour	Jan. 6/86
Mr. Gary Vickers	Labourer	Public Works	returning to former position	D-5	\$10.706	Dec. 16/85
Mr. Bernhard Alken	Tree Climber	Public Works	additional staff as approved	D-9	\$10.737 per hour	Jan. 13/86
Mr. Anthony Christison	Tree Climber	Public Works	additional staff as approved	D-9	\$10.737 per hour	Jan. 13/86
Mr. Richard Domke	Tree Climber	Public Works	additional staff as approved	D-9	\$11.202 per hour	Jan. 24/86
Mr. Patrice Lecomte	Tree Climber	Public Works	additional staff as approved	D-9	\$10.937 per hour	Jan. 13/86
Mr. Franco Liberatore	Tree Climber	Public Works	additional staff as approved	D-9	\$10.937 per hour	Jan. 13/86
Mr. Ian MacKenzie	Tree Climber	Public Works	additional staff as approved	D-9	\$10.937 per hour	Jan. 13/86

Prepared February 12, 1986

THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Wayne Milmine	Tree Climber	Public Works	additional staff as approved	D-9	\$10.737 per hour	Jan. 13/86



THE CORPORATION OF THE CITY OF HAMILTON

TERMINATIONS FROM PERMANENT SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON	LENGTH OF SERVICE	EFFECTIVE DATE
Mr. George Cimba	Market Collector	Central Market Division of City Clerk's	retirement	9 yrs. & 9 mos.	Feb. 28/86
Mr. Stanley Patrick	Garbageman	Public Works	retirement	39 yrs. & 8 mos.	Jan. 31/86
Mr. Paul Toth	Truck Driver	Public Works	retirement	17 yrs. & 7 mos.	Jan. 31/86
Mr. A. F. Gillespie	Director	Personnel	retirement	29 yrs. & 5 1/2 mos.	Feb. 25/86 *

\* Note: In the report dated January 22, 1986, which was submitted to City Council on January 28, 1986, Mr. Gillespie's effective date of retirement was shown as February 28, 1986. Mr. Gillespie has now requested, and the Committee has approved, that his effective date be changed to February 25, 1986. The Committee has also approved of Mr. Gillespie remaining on as a temporary employee until February 28, 1986.

Prepared February 12, 1986

**THE CORPORATION OF THE CITY OF HAMILTON  
APPOINTMENTS IN TEMPORARY SERVICE**

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Ms. Ann Boyajian	Stenographer III (temporary)	Treasury	replacement for Ms. Kathryn Bradshaw - resigned	E-3	\$319.46 per week	Jan. 20/86
Ms. Rossana Calcagni	Typist Clerk II (temporary - on call)	Treasury	additional staff as approved	E-2	\$8.561 per hour	Jan. 15/86
Mr. Donald Dilks	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. Fred Lalonde - off sick	D-5	\$11.161 per hour	Jan. 25/86
Mr. Ralph Heastont	Motor Mechanic Helper (temporary)	Central Garage Division of the Dept. of Public Works	replacement for Mr. C. Turner - temp. promoted	D-9	\$11.202 per hour	Feb. 3/86
Ms. Sandy McMurrich	Stenographer IV (temporary)	Purchasing Division of the Treasury Department	replacement for Mrs. June Davis - retired	E-2	\$299.65 per week	Jan. 13/86
Mr. Martin Molinaro	Shipper/Receiver - Mailroom (temporary)	Trade Centre/Arena	replacement for Mr. Allan Plant - on vacation	M-10	\$12.126 per hour	Jan. 6/86
Ms. Stefanie Prpic	Stenographer IV (temporary)	City Clerk's	additional staff as approved	E-2	\$299.65 per week	Jan. 13/86

THE CORPORATION OF THE CITY OF HAMILTON

APPOINTMENTS IN TEMPORARY SERVICE

NAME	CLASSIFICATION	DEPARTMENT	REASON HIRED	SALARY SCHEDULE	RATE	EFFECTIVE DATE
Mr. Luigi Romano	Journeyman Carpenter (temporary)	Property Maintenance Division of the Real Estate Dept.	additional staff as approved	C	\$18.810 per hour	Jan. 8/86
Mr. John Ross	Rink Attendant (temporary)	Culture & Recreation	replacement for Mr. Harry Cole - off sick	D-5	\$10.706 per hour	Jan. 15/86
Mrs. Jacqueline Turner	Office Manager (temporary)	Culture & Recreation	replacement for Mrs. Ruth Tiefenbach - resigned	110S	\$26,518.44 per annum	Dec. 16/85

**THE CORPORATION OF THE CITY OF HAMILTON**  
**TERMINATIONS FROM TEMPORARY SERVICE**

<u>NAME</u>	<u>CLASSIFICATION</u>	<u>DEPARTMENT</u>	<u>REASON</u>	<u>LENGTH OF SERVICE</u>	<u>EFFECTIVE DATE</u>
Mrs. Rose Caterini	O.M.M.T.P. Trainee (temporary)	City Clerk's	resigned	1 yr. & 6 1/2 mos.	Jan. 31/86
Mr. J. Barry Lord	Project Director (temporary)	City Architect's (Hamilton Scourge)	lay off	1 yr. & 1 mo.	Jan. 24/86









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SIXTH Report for 1986 and respectfully recommends:

1. That the increase of \$350 000 in allowance "R" (Services to Concessions) for the Victor K. Copps Trade Centre/Arena from \$100 000 to \$450 000, be financed from the unutilized portion of the original gross cost and debenturing authority under O.M.B. Order No. E830018 dated 1983 May 8, for the Trade Centre/Arena and be charged to account #0408-U3303.

NOTE: Please note this item was approved by the Executive Committee's Fifth Report Item #3 and City Council on 1986 February 11.

2. That the Maximum cost of \$15 000 for the purchase of a four-page layout in "Hamilton A City In Symphony", as approved by City Council 1986 January 14 by Item 2 of the Second Report of the Executive Committee, be charged to the proposed \$150 000 1986 Legislative Budget Account #0321-0161 entitled "Public Relations - City Promotion", and that these funds (\$15 000) be approved in advance of formal approval of the 1986 Current Budget Estimates.

NOTE: City Council approved of the expenditure not to exceed \$15 000 for the purchase of a four-page layout in the publication "Hamilton A City In Symphony" by Item 2 of the Second Report of the Executive Committee.

3. That the estimated cost of \$1 500 to install an anchoring system for the Banner Poles on Main Street in front of City Hall be charged to the Unclassified Expenditure Account #0378-27XX.

NOTE: This Item is referred to in Section 8 of the Sixth Report of the Transport and Environment Committee.

4. (a) That a policy be established whereby grant applications received from organizations requesting funds to defray costs associated with representing the City of Hamilton at National or International events, by invitation only, outside of the City, will be eligible to apply for grant funds.
  - (b) i. That a One-Time Only Grant in the amount of \$1 500 be approved to the Hamilton Tigers Ringette to defray the cost of the ringette team representing the City at an International Ringette Tournament at Helsinki, Finland.



- ii. That the approved amounts be provided in the One-Time Only Grant Account #0374-04XX.

NOTE: In the past, grant applications have been denied to groups leaving the City. However, there have been some inconsistencies in that grants have been approved for the Argyll and Sutherland Highlanders (for their involvement in the 1986 Edinborough Tattoo), as well as the Hamilton Cardinals Baseball Team and the Hamilton Fire Fighters' Drum and Bugle Corp. This policy is proposed to clarify this issue.

5. That a contract be entered into with Greenaway Security, Burlington, satisfactory to the City Solicitor for providing security services for a period of 36 months for various City Departments at the following rates:

Guard	\$5.02 per hour; and
Guard with vehicle	\$5.75 per hour.

These rates are subject to any increase established by other levels of government, e.g. minimum wage, U.I.C., C.P.P., etc.

NOTE: Lowest of five tenders received. Funds available in various accounts. This was part of a co-operative tender called that included the Region Departments and the Regional Transit.

6. That purchase orders be issued to the following for the supply and delivery of Stock Tabulating Paper:

(a) MOORE BUSINESS FORMS, Burlington, Ontario

Supply and deliver of Carbonless Stock Tabulating Paper for 1986, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$14 554

Prices firm until 1986 June 30, with a maximum of 6% increase which will be firm until 1986 December 31.

(b) R.L. CRAIN, Rexdale, Ontario

Supply and delivery of Stock Tabulating Paper for 1986, in accordance with specifications issued by the Director of Purchasing and Vendor's Tender for the total sum of \$22 358

NOTE: Item #1 Lowest of 3 acceptable tenders.  
#2 Lowest of 5 acceptable tenders.  
Funds available from account #0323-1521.

7. (a) That the City of Hamilton lease an additional 165 square feet of space on the fifth floor of City Hall to the Regional Municipality of Hamilton-Wentworth at a rental based on \$9.50 per sq. ft. for 1986, \$10 per sq. ft. for 1987 and \$10.50 per sq. ft. for 1988. (The lease is to commence on 1985 December 1 to coincide with the dates in the City/Region Master Lease).
- (b) That the City Solicitor be authorized to amend the City/Region Master Lease to reflect this amendment.

NOTE: The Region will at its own cost, carry out all renovations to the area to be leased on the fifth floor. The City's Conference Room is to be maintained and all renovations must be to the satisfaction of the City Architect and the City Property Maintenance Superintendent.

8. That an Offer to Purchase the property at 125 Wellington Street South executed by Mr. Ruel Uylett on 1986 February 3 and scheduled for closing on or before 1986 April 16, be approved and completed.

NOTE: This property, formerly leased to Visiting Homemaker's Association, has been deemed surplus to municipal requirements. It has a frontage of 14.6 metres (48 feet) by a depth of 36.8 metres (121 feet) with structures thereon. The proceeds of this sale, in the amount of \$64 000 are to be credited to account #0280-02. A certified deposit cheque in the amount of \$5 000 is being held by the Treasury Department pending approval of this transaction.

9. That the City's action against Canadian Great Lakes Casualty and Surety Company Ltd. be settled in the amount of \$50 000 inclusive of interest and costs which amount is to be paid to the City.

NOTE: During the latter part of 1981 the City retained Amalgamated Bailiffs Ltd. to do tax collection work for the City. Amalgamated provided the City with a surety bond dated 1981 July 27 from Great Lakes.

During the early part of 1982 Amalgamated collected, but did not remit and, therefore, stole and/or converted to its own use approximately \$194 000 in business and realty taxes it had collected on behalf of the City.

10. That the claim of Maria Helena Niedling herein be settled in the amount of \$4 500 inclusive of interest and costs and that the claim of O.H.I.P. herein be settled in the amount of \$350 inclusive of interest and costs.

NOTE: By Supreme Court Writ of Summons issued 1983 September 6, Maria Helena Niedling commenced action against the City and the Region for damages for injuries she suffered when she fell at the Coronation Arena and Pool on 1983 August 23. She broke her right elbow and claimed \$50 000 plus interest and costs.



11. That the claim of Gerald Maloney be settled in the amount of \$2 550.

NOTE: On 1985 June 11 the hitch and safety chains came apart or broke on a City tractor allowing the stumper it was pulling to roll free. The stumper hit a parked vehicle owned by Gerald Maloney. Mr. Maloney was sitting in his vehicle at the time and suffered injuries to his neck, shoulders and back.

12. That By-law No. 85-99 be amended to provide for the cancellation of all realty and business taxes applicable to the Lakeland Beach Swimming Pool Complex.

NOTE: By-law No. 85-99 amended By-law No. 75-198 which authorized the cancellation of business and realty taxes respecting Lakeland Beach Swimming Pool.

This matter was referred back by City Council on 1986 February 11.

13. That in accordance with City Council policy established 1981 September 29, by Item 8 of the Eighteenth Report of the Finance Committee, whereby Veterans' Clubs may submit applications for tax exemptions on the basis of need, and that the exemption to be granted would not exceed the lessor of the actual operating deficit or the municipal portion of the taxes:

(a) a tax exemption be granted to the Hamilton Naval Veterans' Association, 108 Parkdale Avenue North, in the amount of \$2 209.56, which is the actual deficit and is the lessor of the actual deficit for 1984 or the 1984 municipal portion of the taxes.

(b) that the exemption amount of \$2 209.56 be charged to account #0378-0490 provided in the 1986 Estimates.

NOTE: For the information of the Committee, this organization was granted exemptions in 1981, 1982 and 1984; if this present exemption is granted, it would be the fourth year of a maximum ten year period in which an association can receive these grants.

14. That the statement of the Treasurer summarizing remuneration and expenses paid to Members of Council and Members of Other Bodies for the year 1985, appended hereto, be approved.

NOTE: According to The Municipal Act, the City Treasurer is required to prepare a statement of remuneration and expenses paid to Members of Council and Members of Other Bodies.

15. That the interest free loan of \$20 000 to be made to the Hamilton Mountain Air Shows Inc. and an amount not to exceed \$93 000 (including the interest free loan of \$20 000) to finance the possible losses due to inclement weather in staging the 1986 Air Show, be financed from the "Reserve for Contingency" account #0280-32.

NOTE: Reference is made to this item in Section 1 of the Sixth Report of the Executive Committee.

16. That in order to allow the Regional Engineering Department to proceed with the 1986 Reconstruction/Resurfacing Program, City Council approve the program as submitted in the estimated amount of \$6 365 000 with the understanding the net cost to the City after the Roadway Subsidy will not exceed \$3 000 000.

NOTE: Reference is made to this item in Section 10 of the Sixth Report of the Transport and Environment Committee.

17. That leave be granted to introduce the following bills:

- (a) G-10 By-law to Authorize the Replacement of the Refrigeration System at Eastwood Community Recreation Centre Arena.
- (b) G-11 By-law Respecting Additional Expenditure - Replacement of Ice-Making System at Inch Park.
- (c) G-12 By-law to Authorize the Replacement of the Refrigeration System at Parkdale Community Recreation Centre Arena.
- (d) G-13 By-law Respecting Coronation Community Recreation Centre.
- (e) G-14 By-law Respecting the Ivor Wynne Stadium.
- (f) G-15 By-law to Confirm Proceedings of the Council of the Corporation of the City of Hamilton.

RESPECTFULLY SUBMITTED,

ALDERMAN P.O. VALERIANO, CHAIRMAN  
Finance Committee

R.C. Prowse  
Secretary  
Attach.  
1986 February 18



STATEMENT OF THE TREASURER

REMUNERATION AND EXPENSES PAID TO MEMBERS OF COUNCIL  
AND MEMBERS OF OTHER BODIES FOR THE YEAR 1985

(Prepared Pursuant to By-Law 79-60 Approved by Council January 29, 1979,  
By-Law 79-300 Approved by Council October 30, 1979 and Section 243 of the  
Municipal Act, R.S.O. 1980, Chapter 302).

1. REMUNERATION

<u>(a) Members of Council</u>	<u>Salary *</u>
Agro, V.J.	12,595.16
Bethune, J.A.	11,629.16
Charlton, B.A.	11,629.16
Christopherson, D.H.	966.00
Collins, S.J.	12,595.16
Cooke, T.J.	966.00
Copps, G.F.	966.00
Cowell, P.R.	12,595.16
Davison, M.N.	556.33
Drage, P.W.	11,629.16
Gallagher, J.F.	966.00
Gray, D.B.	11,629.16
Hinkley, B.K.	12,595.16
Kiss, M.A.	12,595.16
Lombardo, F.A.	11,629.16
McCulloch, W.M.	12,595.16
Merling, H.	12,595.16
Morrow, R.M.	35,047.36
Murray, T.	12,595.16
Powell, W.	10,384.50
Ross, D.C.	966.00
Scott, V.J.	11,629.16
Smith, J.R.	966.00
Stout, G.I.	11,629.16
Valeriano, P.	966.00
Wheeler, R.	966.00
	<u>235,881.59</u>
	=====

\* One-Third of these amounts deemed to be "Expenses" in accordance with  
section 251 of the Municipal Act.

<u>(b) Committee of Adjustment Member</u>	<u>Honorarium</u>
MacDonald, J. (Estate of)	2,100.00
Rocchi, F.	2,600.00
Young, C.	2,100.00
Woods, L.G.	2,100.00
Skofac, M.	<u>2,100.00</u>
	<u>11,000.00</u>
	=====

<u>(c) License Examining Board Member</u>	<u>Honorarium</u>
Allick, B.	750.00
Bradshaw, A.	750.00
Hewitt, C.	750.00
Hooker, G.	750.00
Korz, G.	750.00
Langdon, D.	750.00
MacLeod, D.	750.00
McGurk, A.	750.00
McManus, G.	750.00
Peacock, H.	750.00
Sanders, E.	750.00
Walker, J.	<u>750.00</u>
	<u>9,000.00</u>
	=====

2. EXPENSES

(Residence telephone allowance, travelling - registration fee, per diem, accommodation, etc., plus local grant to Mayor).

<u>(a) Member of Council</u>	<u>Amount</u>
Agro, V.J.	994.28
Bethune, J.A.	2,879.23
Charlton, B.A.	903.88
Christopherson, D.H.	11.45
Collins, S. J.	189.53
Cooke, T.J.	11.45
Copps, G.F.	-
Cowell, P.R.	1,331.08
Davison, M.N.	-
Drage, P.W.	128.08
Gallagher, J.F.	11.45
Gray, D.B.	128.08
Hinkley, B.K.	2,822.00
Kiss, M.A.	189.53
Lombardo, F.A.	178.08
McCulloch, W.M.	6,000.67
Merling, H.	590.67
Morrow, R.M.	11,410.06
Murray, T.	1,179.53
Powell, W.	136.36
Ross, D.C.	11.45
Scott, V.J.	128.08
Smith, J.A.	11.45
Stout, G.I.	128.08
Valeriano, P.	11.45
Wheeler, R.	11.45
	<u>29,397.37</u>
	=====

(b) Parking Authority Appointees

O'Neal, K.W.	925.50
Furness, G.	<u>916.50</u>
	1,842.00
	=====

(c) Public Library Appointees

Meiklejohn, A.	168.45
	=====

(3) Power to Restrain by Action. Where any provision of this by-law is contravened, such contravention may, in addition to any other remedy and to any penalty which may be imposed, be restrained by action at the instance of a ratepayer or the City Corporation or a local board.

#### RECORD OF THE HIGHWAYS AND NUMBER OF BUILDINGS

3. (1) Street Names. The Planning and Development Committee of the City is authorized to recommend to the City Council from time to time, names for unnamed highways, and names for highways the names of which are desired to be changed. By-law No. 82-153, S.4.

(2) Street Name Signs. The Traffic Commissioner is authorized and directed to affix at the corners of highways, on public or private property, highway name signs of such type and to such number as may from time to time be authorized by the City Council, and to maintain the same in proper condition. By-law No. 82-153, S.7(1).

(3) Record of Highways and of the Numbers of Buildings. The Planning and Development Committee of the City is authorized to recommend to the Assessment Commissioner the numbers for buildings, and the last revised assessment roll shall be the record of the highways with boundaries and distances as required by The Municipal Act to be kept for public inspection. By-law No. 82-153, S.4.

(4) Affixing Numbers to Buildings. The Building Commissioner shall, upon the issuing of each building permit for the erection or for the removal to a new location of any building or structure, deliver to the person receiving the building permit a number sign of such type as may from time to time be authorized by the City Council, and corresponding to the number assigned in the last revised assessment roll, for affixing to such building or structure, and in default of any such number sign being so affixed within a reasonable time, or in the event of its removal, the Building Commissioner is authorized to affix the same or a like sign, and the amount of the expenses incident thereto may be entered by the City Clerk in the collector's roll and collected in the same manner as taxes, or, if paid by the occupant of the premises, the same may, (subject to any agreement between him and the owner), be deducted from the rent payable to the owner.



(5) Changing Numbers. Whenever it becomes necessary to change the numbers for buildings on any highway, and they are so changed in the assessment roll, the owners and occupants of all such buildings shall be certified forthwith, or beforehand if possible, and new number signs shall be supplied by the Building Commissioner, and the postal authorities shall similarly be notified at as early a date as possible, by the City Clerk; and in default of any such new number sign being affixed, the same may be affixed by the Building Commissioner with the results provided in subsection 4.

#### BOULEVARDS

4. (1) Parts of Highway Set Apart as Boulevards. All such parts of the highways as are situated between the curb or edge of the roadway and the nearest street line, exclusive of the area covered by sidewalk or pavement, and all planted strips between the two roadways of a divided highway, are hereby set apart for the purpose of boulevards and may be known and referred to as such; and the former may be known and referred to as "side-boulevards" and the latter as "middle-boulevards", and a side-boulevard which adjoins the limit of the highway may be known and referred to as an "inner side-boulevard", and the one which adjoins the curb or edge of the roadway, as an "outer boulevard".

(2) Abutting Owners May Maintain Side-Boulevards. Subject to the provisions of this by-law respecting trees on highways, and subject to the provisions of other by-laws respecting public works and obstructions to the view of drivers at intersections, an owner of land abutting on a highway may at his own expense maintain in grass, flowers and trees, that part of any side-boulevard immediately opposite his land, but not so as unreasonably to confine, impede or incommode public traffic.

(3) Prohibitions. No person shall,

- (a) wilfully injure any planted boulevard, or walk upon it if there be any crossing within reasonable distance; or
- (b) cause or permit any horse, mule, pony or vehicle to be upon any planted boulevard; or
- (c) cause or permit any hedge or other obstruction to the clear view of drivers of vehicles, to be upon side-boulevards within thirty feet of the limit of any intersecting highway.



## TREES

5. (1) The Director of Public Works is hereby authorized to supervise the planting, trimming and removal of trees growing in the highways, and the trimming of trees planted upon a highway or upon private property, where the branches extend over a highway.

- (a) Definition. In this section except where otherwise indicated, "trees" includes a growing tree or shrub planted or left growing on either side of a highway for the purpose of shade or ornament. By-law No. 81-166, S.1(2).

(2) Owners of Land May Plant Trees. Any owner of land abutting on a highway may with the approval of the City Council expressed by resolution plant shade or ornamental trees upon that portion of the highway upon which his land abuts and which has been set apart for the purpose of a side-boulevard.

(2a) It is hereby authorized and directed that the City may, with the consent of the owner, plant shade or ornamental trees within eight feet of the highway at the expense of the City of Hamilton provided,

- (a) any tree planted is the property of the owner of the land on which the tree is planted; and
- (b) the owner of the land shall undertake and agree that the City of Hamilton is not liable for maintenance, replacement, removal or otherwise in respect of any tree so planted. By-law No. 75-292, S.1.

(3) Not To Be Obstruction.

- (a) No tree shall be so planted that the same is or may become a nuisance in the highway, or obstruct the reasonable use of the same;
- (b) No tree shall be planted upon any highway, nearer to any other tree upon a highway, than thirty feet;

Provided, however, that in this clause, "tree" shall not be deemed to include any shrub or tree of a sort which does not normally attain a height or spread of more than twenty feet;

- (c) Unsuitable Species. No tree shall be planted in any highway, of any of the following species, which the council deems unsuited for that purpose, and the Director of Public Works is authorized to remove without notice any or all of such trees growing on a highway or planted thereon contrary to the provisions of this by-law:

Chinese Elms  
Cottonwood or  
Balm of Gilead

Poplar  
Soft Maple  
Willow

Provided, however, that this subsection shall be construed as obligating the City Corporation or the Director of Public Works to remove all or any of such trees, unless the City Corporation has had notice that the roots of the same have already obstructed a sewer of the City Corporation or a sewer connection serving land other than the parcel abutting upon that part of the highway in which the tree is growing. By-law No. 81-166, S.1(2).

(4) Permission to Cut Down. The owner of any tree upon a highway may remove or cut down the same with the authority in writing of the Director of Public Works, but nothing herein shall be construed as requiring the Director of Public Works to give such permission in writing without a resolution of the City Council, when in his opinion the removal of such tree might be against the public interest. By-law No. 81-166, S.1(2).

(5) Removal in Public Interest. Any tree planted upon a highway shall be removed when deemed necessary in the public interest, but in such case the owner of the tree shall be given ten days notice of the intention of the City Council to remove such tree, and be recompensed for his trouble in planting and protecting it, and if he so desires shall be entitled himself to remove the tree, but shall not in such case be entitled to any further or other compensation.

(6) Notice to Remove. The notice required by subsection 5 may be given by leaving the same with a grown-up person residing on the land adjacent to the highway and nearest to the tree, or, if the land is unoccupied, by posting it in a conspicuous place on the said land, and if the tree has not been removed upon the expiration of ten days after such giving of the notice, the Director of Public Works shall forthwith proceed to remove the tree. By-law No. 81-166, S.1(2).

(7) Decayed Trees.

- (a) An owner of a tree shall not leave standing any decayed or dangerous tree upon a highway, or any such tree so near to a highway that the same may be or become dangerous to persons lawfully using the highway;
- (b) Overhanging Limbs. An owner of a tree standing upon or adjacent to a highway shall not leave projecting over the highway any branch of any such tree in such manner as to obstruct the reasonable and safe use of the highway.

(8) No person shall injure or destroy a tree. By-law No. 79-106, S.1.

(9) No person shall attach any object or thing to a tree located on any highway or public place, except with the consent of the Director of Public Works notwithstanding that such attachment would not injure or destroy the tree. By-laws Nos. 79-106, S.1; 81-166, S.1(2).

TEMPORARY CLOSING OF HIGHWAY FOR REPAIRS, ETC.

6. (1) To Be Closed While Work in Progress. During the construction, repairing or improvement of any highway or portion thereof, the said highway or that portion of it being so constructed, repaired or improved shall be temporarily closed.

(2) Alternative Route. Where a highway or portion thereof is so closed, the Commissioner of Engineering shall provide and the Director of Public Works shall keep in repair, a reasonable temporary alternative route as selected and designed by the Traffic Commissioner for traffic and for all property owners who cannot obtain access to their property by reason of such closing. By-laws Nos. 81-166, S.1; 82-153, S.7(1); S.8(1).

(3) Barricades and Detour Signs. While a highway or portion thereof is so closed to traffic, there shall be erected by the Commissioner of Engineering or by the Director of Public Works, whichever is in charge of the work, at each end of the highway or portion thereof, and where an alternative route deviates therefrom, a barricade upon which an adequate warning device shall be exposed and in good working order continuously



except during full daylight, and at such points there shall be erected detour signs by the Traffic Commissioner, indicating the alternative route and that the highway is closed to traffic. Every such barricade shall be of that type which may from time to time be adopted by the City Council. By-law No. 82-153, S. 7(1); S.8(1).

#### REMOVAL OF SNOW AND ICE

7. (1) (a) From Roofs of Certain Occupied Buildings. With respect to every occupied building having a pitched roof from which snow and ice might fall upon any highway or other place to which the public has access, the occupants shall clear away and remove the snow and ice from the roof whenever there is sufficient accumulation to threaten danger in the event of a thaw.

(b) Recovery of Cost From Occupants, in Case of Default. In default of compliance with the requirements of this subsection, the Director of Public Works in lieu of or in addition to any other remedy provided by this by-law, is authorized to clear away and remove such snow and ice at the expense of the occupants, and in default of payment on demand, the amount of the expense incurred in doing it shall be recovered from the said occupants by action. By-law No. 81-166, S.1(2).

(2) (a) From Roofs of Certain Unoccupied Buildings. With respect to every unoccupied building having a pitched roof from which snow and ice might fall upon any highway or other place to which the public has access, the Director of Public Works is authorized to clear away and remove, at the expense of the owner of the building, the snow and ice from the roof whenever it has come to his attention that there is a dangerous condition. By-law No. 81-166, S.1(2).

(b) Recovery From Owner of Cost of Removal. The amount of the expense incurred in clearing away and removing snow and ice from the roof of any unoccupied building pursuant to the provisions of clause (a) of this subsection shall be added by the City Clerk to the collector's roll and collected as municipal taxes against land are collected.

(3) (a) From Sidewalks at Certain Occupied Buildings. The occupants of all classes of buildings except office buildings, multiple dwellings, other buildings of multiple occupancy and



government buildings, shall clear away and remove the snow and ice from all the sidewalks on the highways in front of, alongside or at the rear of such buildings, as soon as reasonably practicable after every snowfall, and in any event within twenty-four hours.

(b) The owners of all office buildings, multiple dwellings, other buildings of multiple occupancy and government buildings, shall clear away and remove the snow and ice from all the sidewalks on the highways in front of, alongside or at the rear of such buildings, as soon as reasonably practicable after every snowfall, and in any event within twenty-four hours. By-law No. 73-366, S.2.

(c) Recovery of Cost From Occupants, in Case of Default. In default of compliance with the requirements of this subsection, the Director of Public Works in lieu of or in addition to any other remedy provided by this by-law, is authorized to clear away and remove such snow and ice at the expense of the occupants, and the amount of the expense incurred in doing it shall be recovered from the said occupants, by action, or shall be recovered in the manner provided by subsection 4 of this section. By-laws Nos. 73-366, S.1; 81-166, S.1(2).

(4) From Other Public Sidewalks. The Director of Public Works is authorized to clear away and remove snow and ice from the sidewalks on any highway or part of a highway, in front of, alongside or at the rear of any occupied or unoccupied building or vacant lot, at the expense of the owners, and the amount of such expense shall be added by the City Clerk to the collector's roll and collected as municipal taxes against land are collected. By-law No. 73-366, S.1.

(5) Manner of Removal. In the clearing away and removal of snow and ice from sidewalks or roofs, no snow or ice shall be deposited in such manner as to obstruct drainage to any drain or sewer, or so as to obstruct access to any fire hydrant, and no such snow or ice shall unnecessarily be deposited upon the travelled portion of any highway.

(6) Sanding of Crossings, etc. by Director of Public Works. It shall be the duty of the Director of Public Works to cause to be levelled or sanded, or both if necessary, all sidewalks and cross-walks which are in a condition of non-repair by reason of snow or ice; and the Director of Public Works is also authorized to cause to be levelled or sanded, or both, any roadway or part of a roadway in special cases when authorized to do so. By-law No. 81-166, S.1(2).

## REMOVAL OF VEHICLES FOR SNOW-CLEANING

8. No person shall park or leave a vehicle on a highway where snow or ice is being moved to open the road for travel on it, and any vehicle which has been parked or left on a highway prior to the commencement of or during a snow or sleet storm or the work of moving the snow or ice to open the road for travel on it shall be removed within one hour after the commencement of such storm or work; and in default of its being so removed, any constable upon discovery of any vehicle parked or left in contravention of this provision may cause it to be taken to and placed or stored in a suitable place and all costs and charges for removing, care and storage thereof, if any, shall be a lien upon the vehicle, which may be enforced in the manner provided by section 52 of The Mechanics' Lien Act. By-law No. 82-153, S.5.

## OBSTRUCTING, ENCUMBERING, INJURING OR FOULING HIGHWAYS PROHIBITED

9. (1) Save as herein otherwise provided or as otherwise specifically permitted by law, no person shall obstruct, encumber, injure or foul any highway, or obstruct any drain, ditch or culvert upon a highway.

(2) Obstructions and Encumbrances. Without in anywise limiting the generality of the foregoing prohibition of obstructing or encumbering a highway, no person shall without lawful authority erect, install, place or maintain or cause or permit the erection, installing, placing or maintaining of any pole, post, fence, hedge, awning, canopy, marquee, sign, area opening, porch, doorstep, vehicle approach ramp, sidewalk, driveway, or other building, structure, firewood or thing either wholly or partly upon, in, under or over a highway, or firewood or any other thing calculated to obstruct it, and no person shall cause or permit the hanging or maintenance of any gate, door or other thing in such a manner as to allow it to swing over any part of a highway.

(3) Removal of Obstructions, etc. Any pole, post, fence, hedge, awning, canopy, marquee, sign, porch, doorstep, vehicle approach ramp, sidewalk, driveway or other building, structure, firewood or thing unlawfully upon, in, under or over a highway, either wholly or partly, shall be removed by the owner or occupant of the land in connection with which the same exists, and any area under and opening to it, unlawfully in any highway shall be filled up by the owner or occupant of the land in connection



with which it exists; and in default of compliance with this provision any such obstruction or encumbrance may be removed and any such area and opening to it may be filled in by the City, and the highway restored to its former condition, all at the expense of the owner or occupant of the land in connection with which such obstruction, encumbrance, area or opening exists, and the amount of such expense may be recovered by action or may be added by the City Clerk to the collector's roll against the said land and collected in like manner as municipal taxes. By-laws Nos. 81-166, S.2; 82-153, S.7(2).

(4) Fouling Highways. Without in anywise limiting the generality of the foregoing prohibition of fouling a highway, no person shall foul any highway or cause or permit the fouling thereof, either by,

- (a) the littering by throwing, placing or depositing of any dirt, filth, glass, hand-bill, paper or other rubbish or refuse, or the carcass of any animal. By-law No. 71-268, S.1;
- (aa) the placing or depositing of mud, soil or building material by spilling from or tracking by one or more vehicles making egress from or ingress to adjacent land. By-law No. 77-105, S.1;
- (b) the throwing, placing or depositing of any hay, straw, coal, manure, earth or other matter or thing, whether refuse or not, and whether spilled from a vehicle or not; or
- (c) discharging liquid waste; or
- (d) fouling a highway in any other manner.

(5) Where a highway is fouled contrary to any provision in clause (aa) of subsection 4, the owner of the adjacent land shall immediately remove the fouling and restore the highway to its condition prior to the fouling. By-law No. 77-105, S.2.

(6) Where the fouling is discovered by an official, servant, agent or any other person, the Commissioner of Engineering or the Director of Public Works may remove the fouling in such a manner as to restore the highway to the condition prior to the fouling. By-laws Nos. 77-105, S.2; 82-153, S.8(1).

(7) The fouling shall be removed at the expense of the owner of the adjacent land referred to in clause (aa) of subsection 4, and shall be recovered in a like manner as municipal taxes against the land of the owner. By-law No. 77-105, S.2.

9a. (1) The whole or portion of every load carried by a motor vehicle on a highway and which is not enclosed by the vehicle or a load container, shall be covered by a covering that is made of tarpaulin, canvas, netting or other material that prevents the load or any part of the load from falling upon the highway. By-law No. 79-332, S.1.

(2) Subsection 1 does not apply to municipal vehicles,

- (a) in the course of applying sand, salt, a mixture of sand and salt or similar substance to the highway for the purpose of highway or winter highway maintenance;
- (b) in the course of collecting waste;
- (c) within the limits of a highway construction contract. By-law No. 79-332, S.1.

(3) For the purpose of this section, "load" includes,

- (a) domestic or industrial waste of any kind within the meaning of By-law No. 68-360; or
- (b) construction material; or
- (c) earth, sand, gravel, stone, crushed stone, slag, salt or any mixture thereof; or
- (d) any other material or thing,

that may foul a highway by being blown thereon or by spilling or falling onto the highway. By-law No. 79-332, S.1.

#### POLES IN AND WIRES OVER A HIGHWAY

10. (1) May Be Permitted. Notwithstanding the provisions of this by-law prohibiting the obstructing, encumbering, injuring or fouling of highways, but subject to the provisions of other



applicable Acts and by-laws, the following obstructions and encumbrances are permitted upon such terms and conditions as may be agreed upon:

- (a) electric light, power, telegraph and telephone poles and wires, and poles and wires for the transmission of electricity across or along any highway or public place;
- (b) poles, towers, wires, cables, amplifiers and other accessory equipment upon, across or along any highway or public place, for the purpose of transmitting electrical or electric impulses, signals and messages of every nature and kind, including those of alarm and protective systems, radio programmes or parts thereof, and television programmes or parts thereof, and the placing and maintenance of such equipment and of pipes, ducts, and conduits for enclosing such equipment, upon and within any poles, towers, pipes, ducts and conduits then erected, constructed or laid down, with the consent of the owner and the body in which is vested the management and control of such poles, towers, pipes and conduits.

(2) Location of Poles and Heights of Wires, etc. All such poles and towers referred to in subsection 1 shall be located, installed and maintained under the supervision and to the satisfaction of the Commissioner of Engineering and all such wires shall be placed and maintained at a height of not less than eighteen feet. By-law No. 82-153, S.8(1).

#### UNDERGROUND SERVICES IN NEW SUBDIVISIONS

10a. Notwithstanding any other provision of this by-law, all wires and conduits for,

- (a) the transmission of electricity; and
- (b) electrical or electric impulses, signals and messages of every kind and nature,

shall be installed underground in new subdivisions. By-law No. 79-217, S.1.

MISCELLANEOUS OBSTRUCTIONS AND ENCUMBRANCES  
PERMITTED UPON OR OVER A HIGHWAY

11. Notwithstanding the provisions of this by-law prohibiting the obstructing or encumbering of a highway, but subject to the provisions of other applicable Acts and by-laws, the following obstructions and encumbrances are permitted during the pleasure of the City Council, in accordance with the provisions following:

Where No Permit or Other Formality Required

(1) Paved Sidewalks and Driveways Not Over 25' Wide. Save as otherwise provided in subsection 8, a paved sidewalk or driveway of a width of not more than twenty-five feet, without any curb and at the same level as the adjoining ground, from the public sidewalk to the land abutting upon the highway, or, where there is an outer side-boulevard then from the public sidewalk to the edge of the roadway, but this provision shall not be deemed to include an approach ramp. By-law No. 81-127, S.2.

(2) Canvas or Other Non-Rigid Awnings. An awning of canvas or other such light and flexible material to project over a sidewalk to the extent of not more than three-quarters of the width of the same.

Provided it is on a suitable frame properly supported from a building or structure on the land abutting upon a highway, that it is not attached to any tree, pole or other erection or thing on the highway, that no part of its supporting frame is closer to the sidewalk than seven feet and six inches, that no part of the awning is closer to the sidewalk than six feet and eight inches, and that it is so constructed, installed and equipped as readily to be capable to being raised to a furled position in which it extends not more than ten inches over the highway and is at least eight feet above the surface of the sidewalk below it.

Where Only Building Permit Required

(3) Refacing Existing Buildings. An existing building to encroach or further encroach upon a highway to such an extent as may be necessary to provide for refacing any such building. By-law No. 77-56, S.1.

(4) Awning Containers, Cornices, etc. Sills, brackets, awning containers and awning covers, to an extent of not more than two inches, at least eight feet above the ground.

Cornices of show windows to an extent of not more than twelve inches, at least eight feet above the ground.

Eaves, and other cornices, to an extent of not more than eighteen inches, at least twelve feet above the ground.

Window air-conditioners to an extent of not more than eighteen inches, at least eight feet above the ground.

(4a) Architectural or Ornamental But Non-Structural Features. Architectural or ornamental but non-structural features at least eight feet above the sidewalk or where there is no sidewalk at least fourteen feet above the roadway to an extent of not more than one foot, provided that the area of vertical projection of such features which projected over the highway shall not exceed, in any area of one hundred square feet of wall, twenty square feet. By-laws Nos. 66-97, S.1; 76-90, S.1.

(5) Signs. A sign or other advertising device having an area of vertical projection of no more than sixty square feet and a thickness between its principal faces of no more than eighteen inches, to project over the highway to the extent of not more than ten feet or two-thirds as far as the curb lines, whichever is the lesser distance, at a height of at least eight feet above the ground; or, where the curb line is no more than seven feet from the street line, it may project as far as the curb line if the clearance above the ground is at least fourteen feet. By-laws Nos. 9417, S.2; 76-90, S.2.

Where Annual Charge or Indemnification Agreement, etc. Required

(6) Paving of a part of a side-boulevard other than as permitted under subsection 1, upon a permit in writing from the Commissioner of Engineering, according to his specifications and to his satisfaction, after registration in the Registry Office for the Registry Division of Wentworth, of an agreement satisfactory to the City Solicitor, to indemnify and save harmless the City Corporation for any and all actions, claims, demand and loss whatsoever which may result. By-law No. 81-127, S.3.

(7) Bridges, Canopies and Marquees. After registration of an indemnification agreement as aforesaid, a bridge or other structure over or across a highway at a height of not less than eighteen feet, for the purpose of access by the owner of land to



land of the same owner on the other side of the highway, and a canopy or marquee to the curb line at a height of at least eight feet above the sidewalk or ground. By-law No. 76-90, S.3.

(8) A vehicle approach ramp may be constructed as an independent installation by the City upon specifications of the Commissioner of Engineering and to his satisfaction,

(a) in the case of ramps not more than twenty feet in width for single-family dwellings or two-family dwellings, after application in writing to the Director of Public Works;

(b) in the case of any other ramps, after application in writing to the Traffic Commissioner,

upon payment by the applicant of any money as a charge for its construction as the City may approve, based on the average cost per square foot of construction of vehicle approach ramps independently constructed during the preceding calendar year.

By-laws Nos. 71-326, S.1; 81-127, S.4; 82-153, S.6, S.7(1), S.8(1).

(8a) Except as provided in subsection (8b), the location of all vehicle approach ramps shall be to the satisfaction of the Traffic Commissioner. By-laws Nos. 71-326, S.1; 81-127, S.5.

(8b) The location of a vehicle approach ramp for a driveway not more than twenty feet wide for single-family dwellings and two-family dwellings shall be to the satisfaction of the Director of Public Works. By-laws Nos. 71-326, S.1; 81-127, S.5; 81-166, S.1(2).

(8c) Except as provided in subsection (8d), no vehicle approach ramp may be located to allow access to a driveway where the distance between the building and the side property line is less than seven feet wide. By-laws Nos. 71-326, S.1; 74-267, S.1; 80-132, S.1; 81-127, S.5.

(8d) A vehicle approach ramp may be located,

(a) to allow access to an attached garage or to a carport or to a front, side or rear yard;

(b) to allow access to a mutual driveway not less than seven feet wide if,



- (i) the mutual driveway is established in accordance with any instrument registered in the Registry Office against the title of the lands of the abutting parcels; and
- (ii) a hard surfaced paved rear or side yard parking space having dimensions not less than nine feet wide and twenty feet long can be established.

By-laws Nos. 71-326, S.1; 81-127, S.5.

(8e) Where there is registered on title an agreement for paving a portion of the highway satisfactory to the Traffic Commissioner, notwithstanding subsection (8b), a vehicle approach ramp to one or more parking spaces located partially in the front, side or rear yard of a single-family, two-family or three-family dwelling and partially upon the boulevard of a public highway, shall be located to the satisfaction of the Traffic Commissioner. By-laws Nos. 74-267, S.1; 81-127, S.6, S.7(1), S.8(1); 84-43, S.1.

(8f) Where a vehicle approach ramp has been constructed in accordance with subsection (8e), the parking spaces provided shall not be occupied by,

- (a) a commercial motor vehicle or trailer within the meaning of The Highway Traffic Act; or
- (b) a boat; or
- (c) a mobile housing unit.  
By-law No. 81-127, S.8.

(9) Benches for the use of the public, on the untravelled portion of any highway, subject to such terms and conditions as may be agreed upon.

(10) Transit system shelters for the use of the public, on the untravelled portion of any highway, subject to such terms and conditions as may be agreed upon.

(11) Telephone booths for the use of the public, upon such terms and conditions including an annual or other charge, as may be agreed upon.

(12) Subject to the provisions of The Municipal Act in that behalf, iron waste paper boxes on the street corners or elsewhere, for the use of the public upon such terms or conditions including an annual fee, as may be agreed upon.

(13) The maintenance and use by any person owning or occupying any building or other erection which by inadvertence has been wholly or partially erected upon any highway, upon the payment of such annual fee or charge as the City Council may from time to time deem reasonable, for such owner or occupant to pay for such privilege; and such fee or charge shall form a charge upon the land used in connection with such encroachment, and shall be collected in like manner as municipal taxes, for so long as the City Council permits the continuance of such encroachment.

Provided that an inadvertent encroachment which has been so permitted to continue shall be removed at the expense of the owner upon termination by resolution of the City Council, of the privilege for the continuance of such inadvertent encroachment.

11a. (1) The elevation of any access driveway at the street line shall be approved by the Commissioner of Engineering, By-law No. 71-21, S.1.

(2) Subsection (1) does not apply to single-family dwellings or to two-family dwellings. By-law No. 71-21, S.1.

11b. (1) Every person shall before placing one or more print media vending or distribution boxes on a sidewalk or a highway,

- (a) enter into an agreement satisfactory to the City;
- (b) pay an equivalent sum annually on January 1st of each year for each vending or distribution box but prorated for the balance of the year where vending or distribution boxes are placed after January 1st;
- (c) provide at the time of each annual payment and from time to time as may be required by the Commissioner of Transportation,

- (i) an alphabetical street name inventory listing exactly where the vending or distribution boxes are placed; and
  - (ii) a map of the City satisfactory to the Commissioner of Transportation showing the location where each vending or distribution box is situate;
- (d) provide a \$1,000,000 public liability policy of insurance wherein the City is an additional named insured and the policy contains a provision for cross-liability. By-laws Nos. 84-40, S.1; 85-160, S.3.

(2) Every print media vending or distribution box shall be situate on a sidewalk or a highway only in accordance with the following regulations:

1. No vending or distribution box shall be placed,
  - (a) in such a manner as in the opinion of the Commissioner of Transportation may obstruct pedestrian or vehicular movement;
  - (b) on sidewalks having a width of 2 metres or less;
  - (c) within 30 metres of all street intersections except at the back of the sidewalk;
  - (d) at bus loading areas;
  - (e) within 6 metres of any fire hydrant;
  - (f) at or adjacent to pedestrian and vehicular egress and ingress locations including ramps and crosswalks so as to obstruct or interfere with egress and ingress;
  - (g) so as to obstruct or interfere with street maintenance.

2. No vending or distribution box shall be chained, fastened or affixed to,
  - (a) utility apparatus, such as signal poles, lamp posts, H.S.R. utility poles;
  - (b) telephone booths, post boxes, bus shelters, bus roscos, sign posts, parking meters;
  - (c) a building, structure or fixture not designed to accommodate vending or distribution boxes, unless prior written permission from the owner is first obtained.
3. No deliveries to, maintenance of, and repairs to, vending or distribution boxes shall, in the opinion of the City, obstruct or interfere with the use of the travelled portion of the sidewalk or the highway on which the boxes are situate.
4. The exact location and manner of placement and maintenance of vending or distribution boxes shall be to the satisfaction of the Commissioner of Transportation. By-law No. 84-40, S.1.

(3) For the purpose of clause (b) of subsection 1, "equivalent sum" means a sum of money equal to the charge required to be paid by The Regional Municipality of Hamilton-Wentworth. By-law No. 83-160, S.1.

(4) For the purpose of clause (c) of paragraph 2 of subsection 2, "owner" means an owner or registered owner or other person satisfactory to the Commissioner of Transportation. By-law No. 83-160, S.1.



MISCELLANEOUS EXCAVATIONS AND INSTALLATIONS  
PERMITTED IN OR UNDER A HIGHWAY

12. Notwithstanding the provisions of this by-law prohibiting the obstructing, encumbering or injuring of highways, the surface of any highway may, subject to the provisions of section 13, be cut and the following obstructions and encumbrances permitted during the pleasure of the City Council, in accordance with the following provisions:

1. Area Opening. Subject to the provisions of the Building By-law, an area under and an opening to it in the highway upon permission of the City Council and after registration in the Registry Office for the Registry Division of Wentworth, of an agreement satisfactory to the City Solicitor, to indemnify and save harmless the City Corporation from any and all actions, claims, demands and loss whatsoever which may result.
2. Sewer Connections. A connection from a sewer of the City Corporation to the boundary of the highway, upon a permit in writing from the Commissioner of Engineering. By-law No. 82-153, S.8(1).
3. Pipes, Conduits, etc. Subject to the provisions of The Municipal Act, The Municipal Franchises Act and other applicable Acts,

- (a) pipes or conduits for transmitting gasoline, petroleum or petroleum products, along, under, in or upon a highway or land owned by the municipality;
- (b) pipes or conduits for enclosing wires for the transmission of electricity, under a highway or public place;
- (c) pipes or conduits for transmitting steam, under a highway or public square;
- (d) pipes and other necessary works for the transmission of water, gas or sewage on, in, under, along or across a highway; and
- (e) subways for cattle under a highway, upon the permission of the City Council in accordance with such terms and conditions as may be agreed upon.

REQUIRED PROCEDURE RESPECTING INSTALLATIONS UNDER  
A HIGHWAY OR CUTTING THE SURFACE OF A HIGHWAY

13. (1) Application of Section. Wherever any work permitted by the provisions of this by-law or otherwise permitted by law involves any excavating in a highway or cutting the surface of a highway, the provision of this section shall apply, except in the case of sewer mains, water mains, water service pipes, vehicle approach ramps and other work done by the City Corporation.

(2) Where No Permit Required From Commissioner of Engineering. No permit from the Commissioner of Engineering to cut or excavate is required with respect to,

- (a) the laying of any private sidewalk or driveway, (except a vehicle approach ramp). Not more than fifteen feet wide, or;
- (b) an area under and opening to it in a highway, which is authorized under the provisions of this by-law, but all other relevant provisions of this section shall apply to the same. By-law No. 82-153, S.8(1).

(3) Where Permit Required From Commissioner of Engineering. A permit in writing from the Commissioner of Engineering is required before the cutting of the surface of any highway with respect to the installation or replacement of,

- (a) any paving more than twelve feet wide;
- (b) any sewer connection;
- (c) any pole or tower;
- (d) any pipe or conduit; or
- (e) any other underground work or other work involving the cutting of the surface of any highway, except as otherwise provided in subsection 2.

By-law No. 82-153, S.8(1).

(4) Application For Permit. Every application for a permit required under this section shall be made to the Commissioner of Engineering in writing in six copies, together with a plan in five copies, showing the proposed location, nature and particulars of the work, and the Commissioner of Engineering shall forward one copy of the application and one copy of the plan, each, to the Traffic Commissioner and to the Director of Public Works. By-law No. 82-153, S.7(1); S.8(1).

(5) Issue of Permit. The Commissioner of Engineering upon receipt of the application and after consultation with any other official aforesaid who may reasonably be concerned, will as soon as possible issue the permit to any applicant to whom such permit ought to be issued, but no permit shall be issued for the cutting of a highway where in the opinion of the Commissioner of Engineering the work ought to be done by boring instead of cutting, and in such case the permit shall be issued for boring. By-law No. 82-153, S.8(1).

(6) Notice of Commencement and Carrying on of the Work. Except in case of emergency, no such work shall be commenced without at least forty-eight hours notice in writing to the Commissioner of Engineering, the Director of Public Works and the Traffic Commissioner, or a full week's notice where a street will have to be closed, or the traffic on a heavily travelled street seriously interfered with, and daily notice shall be given to the Commissioner of Engineering, of the progress of all such work until its completion and the restoration of the highway; and, in case of any emergency work notice shall be given and an application for permit made as soon as possible after commencement of



the work, namely on the same day, or, if too late in the day, then within one hour of the opening of the Commissioner of Engineering's office on the next following day which is not a Sunday or other holiday. By-law No. 82-153, S.8(1).

(7) All Underground Work to be Done Only by City Corporation, Bonded Contractor, Public Utility or Franchise Holder. With the exception of work done by the City Corporation or its servants, agents or contractors, all work referred to in subsection 3 of this section except paving, and except an area under and opening to it in the highway, shall be done only by the public utility or the franchise holder lawfully in control or by a contractor who has deposited with the City Clerk a satisfactory bond of a recognized bonding company licensed to carry on business in Ontario, in such amount as may be deemed sufficient, that he will perform all work done upon, in or under a highway in a proper and workmanlike manner, take all proper precautions and safety measures for the protection of public and private property and of the public, including the maintenance of all necessary warning lights and watchmen, carry out and complete all such work and restore the highway to as good condition as before with all due expedition and dispatch, maintain the disturbed portion of the highway in proper repair for the period of two years after completion of the work, and indemnify and save harmless the City Corporation from any and all actions, claims, damages and loss whatsoever arising directly or indirectly from doing of the work.

(8) Supervision, Inspection, and Inspection Fees. All work referred to in this section shall be carried out under the direction and supervision of the Commissioner of Engineering and to his satisfaction, and the person in control of such work shall, forthwith upon demand after completion of the work, pay to the City Corporation all costs incurred by the City Corporation for inspection and supervision of the work, and all other costs which have been incurred. By-law No. 82-153, S.8(1).

(9) Carrying Out of the Work.

(a) Generally. All work to which the provisions of this section apply shall be carried out in a proper workmanlike manner, with all proper precautions and safety measures for the protection of public and private property, and of the public, including the maintenance of all necessary warning lights and watchmen, and brought to completion and the highway restored to as good condition as before as expeditiously as possible, all under the direction and supervision of the Commissioner of Engineering and to his satisfaction;



- (b) Cut in Boulevard. Where a sodded or planted boulevard is cut, top soil to a depth of at least six inches shall be placed over the required back filling, and the sod or other planting restored to as good condition as before; but in the case of a pavement cut, the entire section of pavement shall be replaced for its full length and width, and the paving restored to as good condition as before;
- (c) Cut in Sidewalk or Vehicle Approach Ramp. Where a cut is made in a sidewalk or vehicle approach ramp, the entire section which is cut shall be replaced in conformity with the concrete specifications and other requirements of the City Corporation;
- (d) Cut in Roadway. Where a cut is made in an unpaved roadway, it shall be backfilled with suitable granular material properly tamped, except the top twelve inches which shall be backfilled with crushed stone graded in size from three-eighths of an inch to dust, properly tamped; but where the cut is in an asphalt pavement, whether it is asphalt on macadam or asphalt on concrete, the pavement shall be replaced by three inches of hot-mix asphalt on an eight-inch concrete base over suitable granular material properly tamped;
- (e) Where Any Drain Connections, etc. Disturbed. Where a sewer or catch-basin connection or other service or facility of the City Corporation is broken or disturbed, the person in control of the work shall at once notify the Commissioner of Engineering who shall perform all necessary work of restoration at such person's expense, and where a private drain connection is broken or disturbed, such person shall at once cause the same to be repaired by a bonded sewer contractor.  
By-law No. 82-153, S.8(1).

#### USE OF HIGHWAY DURING BUILDING OPERATIONS

14. (1) Use of Part of Highway Permitted. Notwithstanding the provisions of this by-law prohibiting the obstruction, encumbering, injuring or fouling of highways, the use of a portion

of any highway by the owner or occupant of land adjoining such highway during building operations upon such land for the storage of materials for such building or for the erection of boards is permitted in accordance with the provisions of this section.

(2) Permit Required. No such use shall be commenced unless and until a permit in writing has been obtained from the Traffic Commissioner, and no such use shall be made of any part of the highway except in accordance with the terms of the permit and all applicable provisions of the Building By-law. By-law No. 82-153, S.8(2).

(3) Terms of Permit. Every such permit shall show what part of what highway may be so used, for what part or parts of the day during what period of time, and no such permit shall be for the use of a greater area of the highway or for a longer period of time than is reasonably necessary, having regard to the safety and convenience of the public as well as the need of the applicant, and every such permit shall be subject to cancellation by the Traffic Commissioner at any time. By-law No. 82-153, S.8(2).

(4) No permit shall be issued until there has been paid a fee in such amount as may be determined from time to time by the City Council, and, upon the expiry of the permit, no such use shall be made of any part of the highway unless and until another permit in writing has been obtained and a further fee paid.

(5) Indemnification Agreement. No permit shall be issued until there has been delivered by the applicant an agreement from a recognized bonding company licensed to carry on business in Ontario, in such sum as may be required, to indemnify and save harmless the City Corporation, from any and all actions, claims, damages and loss whatsoever, arising from such use of the highway.

(6) Where Consent of Adjoining Owner Required. Before any permit is given for the use of any part of the highway beyond the limits of the frontage of the applicant, there shall be obtained from the owner of the adjoining lands, in writing, a consent and waiver of all claims against the City Corporation of any damages which may result, whether directly or indirectly from any such use of that part of the highway during the period to be covered by the permit and for a reasonable time thereafter.

(7) Other Requirements. Every person making use of any part of a highway during building operations shall be responsible that the following requirements are observed:

- (a) Mixing Mortar. No mortar, concrete or other such substance shall be mixed upon the highway, save upon a platform of wood, iron or other as suitable material and so located and guarded as to give adequate protection both to the highway and to children and the public;
- (b) Keep Drains Clear. No material shall be allowed to obstruct the free passage of water in any drain, gutter or watercourse;
- (c) Dust, Nuisance, etc. No unnecessary dust or noise shall be allowed, or any unnecessary or unreasonable annoyance to the public;
- (d) Warning Lights. No building material or other obstruction shall be allowed on a highway without sufficient suitable warning lights and such other safeguards as may be necessary or desirable for the protection of children and the public;
- (e) Clear and Restore Highway. All building material and other obstructions and all debris and residue shall be removed from the highway and the same restored to as good condition as before on or before the day of expiration of their permit.

#### MISCELLANEOUS REGULATIONS

15. (1) Firearms. No person shall discharge any gun or other firearm, air-gun or spring-gun of any class or type, anywhere in the City of Hamilton.

Provided, however, that this prohibition shall not apply to the discharge of firearms,

- (a) in properly constructed and supervised rifle ranges; or
- (b) in shooting galleries licensed by the Board of Commissioners of Police; or
- (c) by police officers or employees of the City Corporation carrying out their proper duties in the killing of stray pigeons, vicious dogs, or otherwise.



(2) Fireworks. REPEALED. By-law No. 79-128, S.34.

(3) Vehicle Crossing Sidewalk. Notwithstanding the provisions of the Traffic By-law prohibiting vehicles on sidewalks save at properly constructed crossings, it is permitted to cross a sidewalk with a vehicle with building materials during building operations, or for other reasonable and temporary need, where there is no regular crossing, provided that the sidewalk is protected by planking at least two inches thick, securely fastened and chamfered or bevelled at the ends for the greater safety of pedestrians, and provided further that a suitable temporary bridge is constructed across the adjoining gutter in such manner as not to obstruct the same.

(4) Filling Up and Draining Vacant Lots. The owner of any ground, yard or vacant lot shall be responsible to fill up and drain any depression where water lies, and to keep such ground, yard or lot clean and free of any debris and refuse. By-law No. 9643, S.2.

(5) Pits and Quarries.

(a) In Operation. No excavation for any pit or quarry shall be made or commenced within less than ten feet of the limits of any highway or other public place, or within less than ten feet of the limits of any adjoining lands; the slope at the sides of the excavation shall in no case be steeper than one and a half feet horizontal to one foot vertical, and the depth shall nowhere be greater than thirty feet;

(b) Not in Operation. The owner of any pit or quarry which is within three hundred feet of a road and which has not been in operation for a period of twelve consecutive months, shall level and grade the floor and sides thereof and the area within three hundred feet of its edge or rim so that it will not be dangerous or unsightly to the public.

(6) Strayed Pigeons. The Director of Public Works upon the complaint of the owner or occupant of any premises is empowered to enter upon such premises and the land buildings in the vicinity thereof for the purpose of trapping, removing or exterminating strayed pigeons which are causing annoyance to the owner or occupant or damage to such premises. By-law No. 81-166, S.1(2).



## MISCELLANEOUS PROHIBITIONS

16. (1) Indecent Placards, etc. No person shall post or exhibit any placard, play bill, poster, writing or picture, or write any word or make any picture or drawing, which is indecent or may tend to corrupt or demoralize, on any wall or fence or elsewhere on a highway or in a public place.

(2) Defacing Signs. No person shall pull down or deface any sign or other advertising device or notice lawfully affixed.

(3) Discharging Rain Water on Highway. No owner, occupant or other person in control of any premises, shall allow any rain conductor or other drainage facility to discharge water so as to flow upon any highway; and no owner of any paved area other than a private driveway or sidewalk shall allow it to drain onto a highway.

(4) Depositing Snow on Highway. No person shall deposit any snow or ice on the travelled portion of any highway. By-law No. 10107, S.1(1).

(5) Discharging Nauseous Liquid. No person shall discharge or allow the discharge into any highway or public place, or into any sewer of the City Corporation of any toxic, flammable, corrosive or other nauseous liquid.

(6) Putting Kitchen Waste, etc. in Waste Paper Boxes. No person shall deposit into any waste paper box or basket on a highway, a lighted cigarette or other fire, or any accumulation of a kitchen waste or other garbage which ought rather to be put out in a container for collection in the City's regular garbage collection, or any other material of a kind not reasonably appropriate for depositing in a waste paper box or basket on a highway.

(7) Disturbing Noises. No person shall ring a bell, blow a horn, or shout or make any unusual noise, or any noise likely to disturb the inhabitants.

Provided that this shall not be deemed to prohibit the ringing of church bells, the sounding of motor vehicle horns when reasonably necessary or other noises of a reasonable nature and intensity on proper occasions. By-laws Nos. 10107, S.1; 68-290, S.1.

(8) Obstructing Watercourses. No person shall obstruct any drain or watercourse. By-law No. 10107, S.1(3).

(9) Other Public Nuisances. The throwing of stones or playing of games on a highway, the climbing of trees or fences, defacing of buildings with paint or writing or otherwise, and all other public nuisances of whatsoever kind or nature, are hereby prohibited.

(10) Criers and Vendors of Smallwares. Except as may be provided in any other by-law of the City, no crier and no vendor of smallwares shall practise his calling in the market place, or on the highways or on any vacant lot adjacent to the market place or to a highway. By-laws Nos. 9417, S.1; 10107, S.1(4); 85-103, S.1.

(11) Retail Selling. Except as may be provided in any other by-law of the City, no person shall sell by retail in any highway or on any vacant lot, lot adjacent to a highway, any meat, fish, vegetables, grain, hay, fruit, flowers, beverages, smallwares or other articles.

Provided that this shall not be deemed to apply to the sale of newspapers or magazines in a highway, or to the operations of any licensed refreshment vehicle in a highway, or to door-to-door or other persons lawfully selling from door-to-door. By-laws Nos. 10107, S.1(5); 85-67, S.1.

(11a) Notwithstanding subsection 11, the untravelled portion of a highway within that portion of the City of Hamilton that may be used for commercial or industrial purposes, may be leased or licensed to the owners or occupants of adjoining property for the purpose of establishing an outdoor cafe and the City may determine the consideration and terms and conditions of the lease or licence and may determine what constitutes an outdoor cafe. By-law No. 75-315, S.1.

16a. (1) No person shall erect or place or affix a sign or post a notice on property abutting on a defined highway or part of a highway. By-law No. 83-022, S.1.

(2) Every person who erects, places or affixes a sign or posts a notice contrary to subsection 1 shall upon written or oral notice forthwith pull down or remove the sign or notice. By-law No. 83-022, S.1.

(3) Notwithstanding subsection 1, the City may grant permission to erect, place or affix a sign or post a notice

upon such terms and conditions as the City may require, but nothing in this by-law shall oblige the City to grant such permission. By-law No. 83-022, S.1.

(4) For the purpose of this section,

- (a) "building" includes structure;
- (b) "defined highway" means a highway listed in City Traffic By-law No. 66-100 and in Regional Municipality of Hamilton-Wentworth By-law No. R 77-78, situate within the City;
- (c) "local board" has the same meaning as in The Municipal Affairs Act;
- (d) "person" includes the owner of the sign or notice, any individual or organization that has erected or caused to be erected, placed or affixed the sign or that has posted or caused to be posted the sign, or any individual or organization holding themselves out in the content of the sign or notice as sponsoring or responsible for the message therein;
- (e) "property" means a building owned or used by the City, or local board, or used by any person on City land;
- (f) "sign" does not include,
  - (a) a sign, advertising device or other device or apparatus within the meaning of section 5 of Traffic By-law No. 66-100; or
  - (b) a sign that is of a temporary nature and is free standing and on its own supports.  
By-law No. 83-022, S.1.



PENALTIES

17. Every person who contravenes any provision of this by-law is guilty of an offence and is liable to a fine of not more than \$2,000.00. By-laws Nos. 73-39, S.1; 79-106, S.4; 81-218, S.1.

REPEAL

18. The following by-laws are hereby repealed, namely:

- (a) By-law No. 5789 Respecting Streets, passed on the 28th day of May, A.D. 1946, and all amendments thereto;
- (b) By-law No. 8317 Respecting the Sale and Setting Off of Fireworks, passed on the 10th day of June, A.D. 1958, and all amendments thereto;
- (c) By-law No. 8567 Prohibiting the Discharge of Firearms, passed on the 10th day of March, A.D. 1959, and all amendments thereto;
- (d) By-law No. 48 of the Revised By-laws of 1910, Respecting sand and gravel pits, and all amendments thereto; and
- (e) By-law No. 2380 of the Township of Barton To Regulate the Operation of Pits and Quarries, passed on the 30th day of June, A.D. 1958.

19. Every reference to By-law No. 9329 shall be a reference to this by-law.

20. The short title of this by-law is "The Streets By-law".

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Local Improvement By-law No. 10605

Respecting:

REVISED COSTS TO THE CORPORATION  
FOR THE INSTALLATION OF LOCAL IMPROVEMENTS

WHEREAS By-law No. 10605, passed on the 15th day of December, 1964, as amended by By-laws Nos. 67-150, 73-72, 80-127, 80-156, 82-40, 83-75, 84-41 and 85-70 provides for the undertaking of local improvements in accordance with The Local Improvement Act;

AND WHEREAS it is intended to increase the local improvement rates per metre charged against abutting lands for work done under The Local Improvement Act.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Subsection 4a of section 13 of By-law No. 10605, as re-enacted by section 2 of By-laws Nos. 80-127 and 82-40 and by section 1 of By-law No. 84-41, is repealed and the following substituted therefor:

The chargeable amount per metre frontage referred to in clause (a) of subsection 4, shall be as follows:

1. For curbs only at the rate of \$40.00 per metre frontage.
2. For sidewalks only at the rate of \$61.00 per metre frontage.
3. For sidewalks and independent curbs or combined sidewalks and curbs, at the rate of \$72.00 per metre frontage.
4. For roadway only, at the rate of \$167.00 per metre frontage.
5. For roadway and curb only in industrial subdivisions, at the rate of \$190.00 per metre frontage.
6. For alleys, at the rate of \$59.00 per metre frontage.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO CLOSE AND SELL A PORTION OF GREENHILL AVENUE,  
BETWEEN APPROXIMATELY 70 M. EAST OF ROSSEAU ROAD,  
TO THE DIVISION LINE BETWEEN LOTS 33 AND 34

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to stop-up and sell any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and sell the highway described herein;

AND WHEREAS the City is the abutting owner on the east, west and south of the highway;

AND WHEREAS the City and The Regional Municipality of Hamilton-Wentworth are the owners to the north of the highway;

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The highway described in Schedule "A" is hereby stopped-up.
2. The Regional Municipality of Hamilton-Wentworth may purchase the said highway hereby stopped-up for the sum of ONE THOUSAND, THREE HUNDRED & SIXTY-FIVE DOLLARS (\$1,365.00), all in accordance with and subject to the terms and conditions of an Agreement dated August 20, 1985 between The Corporation of the City of Hamilton and The Regional Municipality of Hamilton-Wentworth.
3. If The Regional Municipality of Hamilton-Wentworth does not purchase the said highway, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.

PASSED this 25th day of February, A.D. 1986.

City Clerk

Mayor

(1985) 18 R.T.E.C. 29, October 29

SCHEDULE "A"

Part of a given road known as Greenhill Avenue

Lot 34, Concession 4

geographic Township of Saltfleet

being designated as Part 3, Plan 62R-7888

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth (No. 62)

THE CORPORATION OF THE CITY OF HAMILTON

BY-LAW NO. 86 -

TO CLOSE AND SELL KEELE STREET,  
FROM BURLINGTON STREET TO THE C.N. RIGHT-OF-WAY

WHEREAS the Council of The Corporation of the City of Hamilton is empowered under Section 298 of The Municipal Act, R.S.O. 1980, Chapter 302, to stop-up and sell any highway or part of a highway;

AND WHEREAS it is deemed expedient to stop-up and sell the highway described herein;

AND WHEREAS the City is the abutting owner on both sides of the highway;

AND WHEREAS Notice of the said by-law has been published as required by Section 301 of the said Municipal Act;

AND WHEREAS the Council of The Corporation of the City of Hamilton, through its Transport and Environment Committee, has heard all persons who applied to be heard, no matter whether in objection to or in support of this by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The highway described in Schedule "A" is hereby stopped-up.
2. William Edgar Wilson, Andrew M. Rees and Heinz J. Kopmann may purchase the said highway hereby stopped-up for the sum of TWENTY-SIX THOUSAND, EIGHT HUNDRED & NINETY-TWO DOLLARS (\$26,892.00), all in accordance with and subject to the terms and conditions of an Agreement dated October 29, 1985 between The Corporation of the City of Hamilton and William Edgar Wilson, Andrew M. Rees and Heinz J. Kopmann.
3. If William Edgar Wilson, Andrew M. Rees and Heinz J. Kopmann do not purchase the said highway, the sale of the said property may be authorized to any other person as may be approved by a subsequent by-law.

PASSED this 25th day of February, A.D. 1986.

City Clerk

Mayor

(1985) 1 R.T.E.C. 58, December 10



SCHEDULE "A"

All of Keele Street, Plan Number 550

designated as all of Part 112, Plan 62R-6161

City of Hamilton

Regional Municipality of Hamilton-Wentworth

Registry Division of Wentworth (No. 62)

PUBLIC NOTICE

**TO CLOSE AND SELL KEELE STREET,  
FROM BURLINGTON STREET TO THE C.N. RIGHT-OF-WAY**

NOTICE is hereby given pursuant to Section 301 of The Municipal Act, Revised Statutes of Ontario, 1980, Chapter 302, that the Council of The Corporation of the City of Hamilton proposes, at its meeting to be held in the City Hall at 7:30 p.m. on Tuesday, the 25th day of February, 1986, to pass a by-law to stop-up and sell Keele Street, from Burlington Street to the C.N. right-of-way and to authorize the sale thereof to:

WILLIAM EDGAR WILSON, ANDREW M. REES, and HEINZ J. KOPMANN,  
designated as Part 112 on Reference Plan 62R-6161 for the sum of  
TWENTY-SIX THOUSAND, EIGHT HUNDRED & NINETY-TWO DOLLARS  
(\$26,892.00), all in accordance with and subject to the terms and conditions of  
an Agreement dated October 29, 1985, between The Corporation of the City  
of Hamilton and William Edgar Wilson, Andrew M. Rees and  
Heinz J. Kopmann.

If the said William Edgar Wilson, Andrew M. Rees and Heinz J. Kopmann do not purchase the said highway, the sale thereof may be authorized to any other person as may be approved by a subsequent by-law.

A plan showing the lands to be affected and a draft of the proposed by-law may be seen in the office of the Regional Transportation Department, Fifth Floor, City Hall, in the City of Hamilton.

On Monday, the 17th day of February, 1986, at 7:00 p.m., the City Council, through its Transport and Environment Committee, will hear in person, or by his counsel, solicitor or agent, any person who claims that his lands will be prejudicially affected by the said by-law and who applies to be heard. Any such person who wishes to be heard should, as soon as possible, make written application to:

Mr. R. Prowse, Secretary  
for the Transport & Environment Committee  
Office of the City Clerk  
City Hall - 71 Main Street West  
Hamilton, Ontario L8N 3T4  
526-2747

DATED at Hamilton, Ontario, this 25th day of January, 1986.

E. A. Simpson, City Clerk  
The Corporation of the  
City of Hamilton

By-Law No. 86 -

To Amend

By-Law No. 75-155

Respecting:

PARKING OF MOTOR VEHICLES ON PRIVATE  
AND MUNICIPAL PROPERTY

WHEREAS By-law No. 75-155, passed on the 27th day of May, 1975, as amended by By-laws Nos. 76-237, 77-226, 77-282, 79-239, 81-123, 81-218 and 83-179, in accordance with paragraph 354(1)1 of The Municipal Act, R.S.O. 1970, Chapter 384, (now R.S.O. 1980, Chapter 302, section 210, paragraph 125), provides for the prohibiting of parking of motor vehicles on private property and municipally owned property upon written complaint of the owner or occupant of the property.

AND WHEREAS it is intended to include the Board of Directors of a Condominium Corporation in the definition of "owner" for enforcement purposes;

AND WHEREAS it is intended to permit individual condominium owners to register complaints regarding illegal parking in a designated parking space.

NOW THEREFORE the Council of the Corporation of the City of Hamilton enacts as follows:

1. Subsection 1(i) of By-law 75-155 (Parking of Motor Vehicles on Private Property and Municipal Property) is hereby deleted in its entirety and the following substituted therefor:

"(i) "owner" means:

- i) a registered owner of any premises; or
- ii) a building manager, superintendent, caretaker, or other authorized agent or representative, when designated in writing by the property owner; or
- iii) the Board of Directors of a condominium corporation as defined by the Condominium Act."

2. Section 1 is hereby amended by adding thereto the following subsection, namely:-

- (1) "condominium owner" means the registered owner of a condominium unit".

3. Subsection 2(2) is hereby deleted in its entirety and the following substituted therefor:

"2(2) Where class 1 or class 2 private property or a specific parking space or an area is designated for exclusive use by an occupant or a condominium owner, no person shall park a motor vehicle on the private property without authority of the occupant or the condominium owner".

PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor





By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 29 (No Stopping Areas) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to Section A (No Stopping Anytime) the following item, namely:-

"Anna Capri            North            Upper Gage to 100 feet east".

2. Schedule 31 (School Bus Loading Zones) is hereby amended by deleting therefrom the following item, namely:-

"Tenth      North      80 feet      commencing at a point      7:00 a.m.-6:00 p.m.  
60 feet east of      Monday to Saturday".  
East 45th

and by adding thereto the following item, namely:-

"Tenth      North      160 feet      commencing at a point      7:00 a.m.-6:00 p.m.  
60 feet east of      Monday to Saturday".  
East 45th

PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

(1986) 5 R.T.E.C. 21, February 25

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED ON THE WEST SIDE OF UPPER PARADISE ROAD,  
IN THE AREA NORTH OF MEGNA DRIVE

WHEREAS it is intended to change the zoning of the lands hereinafter referred to by amending By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheets No. W37B and W37C of the District Maps, appended to and forming part of By-law No. 6593, are amended,

(a) by changing from "AA" (Agricultural) district to "C" (Urban Protected Residential, etc.) district, the land comprised in Block 1; and

(b) by changing from "AA" (Agricultural) district to "RT-10" (Townhouse) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as schedule "A".

2. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this

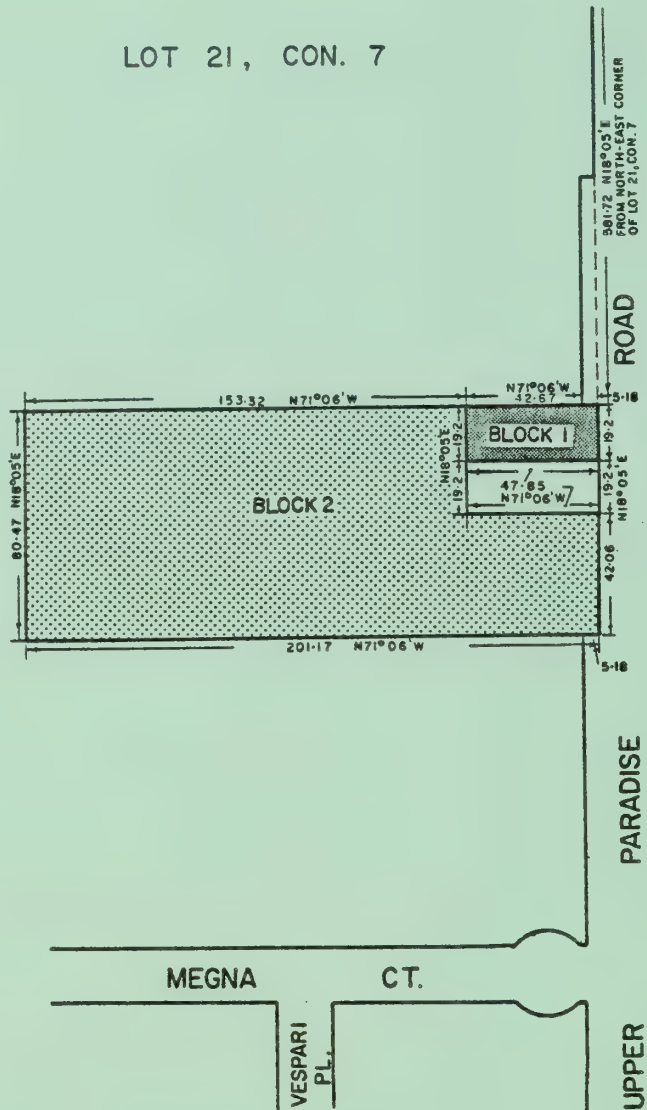
day of

A.D. 1986.

City Clerk

Mayor

LOT 21, CON. 7



ALL DIMENSIONS ARE IN METRES

THIS IS SCHEDULE "A" TO BY-LAW NO. 86-  
PASSED THE DAY OF

Clerk

Mayor

CITY OF HAMILTON

SCHEDULE "A"

MAP FORMING PART OF

BY - LAW NO. 86-

TO AMEND BY - LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

Legend

CHANGE IN ZONING FROM "AA" (AGRICULTURAL)  
DISTRICT TO:

BLOCK 1

"C" (URBAN PROTECTED RESIDENTIAL, ETC.) DISTRICT.

BLOCK 2

"RT-10" (TOWNHOUSE) DISTRICT.

North



Scale

1: 2000

Date

85-08-20

Reference File No.

ZA 85 - 48

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Repeal:

By-law No. 84-188

Respecting:

LAND LOCATED AT MUNICIPAL NO. 154 GRENFELL STREET

WHEREAS By-law No. 84-188, passed on the 28th day of August, 1984, authorized the repair of buildings and structures on land at No. 154 Grenfell Street;

AND WHEREAS repair of the buildings and structures at No. 154 Grenfell Street has been completed in compliance with the Order dated the 26th day of April, 1984;

AND WHEREAS the authority in the said by-law is no longer necessary.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. By-law No. 84-188 is repealed.

PASSED this

day of

A.D. 1986.

City Clerk

Mayor



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 34

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER JAMES STREET,  
SOUTH OF FENNELL AVENUE

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 34 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

AMENDMENT NO. 34 TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "B" hereto, constitute Amendment No. 34.

PURPOSE

The purpose of this Amendment is to incorporate in the Official Plan, a change to Schedule "B", and introduce a new Special Policy Area to guide the redevelopment of a specific property.

LOCATION

The lands affected by this Amendment are located on the west side of Upper James Street south of Fennell Avenue.

BASIS

The Amendment is intended to:

- introduce a new special policy, for certain lands municipally known as 660 Upper James Street, which would exempt these lands from the provisions of Policy A.2.9.3.17; and,
- provide the basis for the rezoning of the subject lands.

The proposed new building on the subject lands will exceed the floor area of the existing building by approximately 23 m<sup>2</sup>. This additional area conflicts with the intent of Policy A.2.9.3.17 and has necessitated this Amendment.

ACTUAL CHANGES

1. Policy A.2.9.3.17 of Subsection A.2.9.3, Other Policy Areas be revised as follows:  
  
"Within Special Policy Area No. 19 indicated on Schedule "B" - Special Policy Areas and known municipally as 640 through 672 Upper James Street, excluding 660 Upper James Street, limited commercial uses shall be permitted within the existing buildings, and in the event that the existing buildings are destroyed, it shall be replaced only by buildings with the same external dimensions and floor area."
2. The following new policy be added to Subsection A.2.9.3 - Other Policy Areas as Policy A.2.9.3.29:

"Within Special Policy Area No. 34 indicated on Schedule "B" - Special Policy Areas and municipally known as 660 Upper James Street, a mixed commercial/residential use having a maximum gross floor area of 118.5 m<sup>2</sup> will be permitted."

3. The following be added to Schedule "B" - Special Policy Areas:

- Special Policy Area 34; and,
- "Area 34 refer to Policy A.2.9.3.29" to the legend,  
as shown on the attached Schedule "B" to this Amendment.

IMPLEMENTATION

A zoning by-law amendment will give effect to the intended use of the subject lands.

This is Schedule 1 to By-law No. \_\_\_\_\_ passed on the \_\_\_\_\_ day of \_\_\_\_\_,  
A.D. 1986

THE CORPORATION OF THE  
CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

# schedule B amendment no. 34

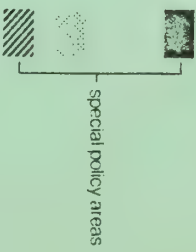
to the  
official plan  
for the  
city of hamilton

date	drawn by	reference file no
86-02-14	G.K.	6-2-34
<div> <div></div> <div>special policy area 34</div> <div>refer to policy A-2-9-3-29</div> </div>		



## special policy areas

legend



- Area 1 (a) refer to Subsection A-2-9-1.
- Area 1 (b) " " " " A-2-9-2.
- Area 2 " " " " A-2-9-2.
- Area 3 " " " " A-2-9-3, policy 2-9-3-1.
- Area 4 " " " " Policy 2-9-3-2.
- Area 5 " " " " 2-9-3-3.
- Area 6 " " " " 2-9-3-4.
- Area 7 " " " " 2-9-3-5.
- Area 8 " " " " 2-9-3-6.
- Area 9 " " " " 2-9-3-7.
- Area 10 " " " " 2-9-3-8.
- Area 11 " " " " 2-9-3-9.

Refer to Schedule B-1 for Special Policy Areas in the Downtown

## schedule B to the official plan for the city of hamilton

may 1982



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

**ADDENDUM NO. 1 TO THE DOWNTOWN CORE AREA REDEVELOPMENT PLAN**

**WHEREAS** By-law No. 83-242, passed on the 30th day of August, 1983, designated the Downtown Core Area of the City of Hamilton as a Redevelopment Area in accordance with subsection 22(2) of The Planning Act;

**AND WHEREAS** By-law No. 85-203, passed on the 8th day of October, 1985, adopted a Redevelopment Plan for the said Downtown Core Area;

**AND WHEREAS** it is intended herein to adopt an Addendum to the said Redevelopment Plan.

**NOW THEREFORE** the Council of The Corporation of the City of Hamilton enacts as follows:

1. Addendum No. 1, dated February 11, 1986, to the Downtown Core Area Redevelopment Plan entitled "Downtown Hamilton Action Plan: Phase II, Redevelopment Plan", hereto annexed as Schedule "A" and forming part of this by-law, is hereby adopted.

**READ A FIRST AND SECOND TIME** on the                      day of  
A.D. 1986.

**READ A THIRD TIME AND FINALLY PASSED** on the                      day of  
                    , A.D. 1986, the Assistant Deputy Minister's  
approval having been received on the                      day of  
A.D. 1986, pursuant to delegation by the Minister in  
accordance with section 6 of The Ministry of Municipal  
Affairs and Housing Act, 1981.

City Clerk

Mayor

SCHEDULE "A" TO  
BY-LAW NO. 86-

ADDENDUM NO. 1  
TO  
THE DOWNTOWN CORE AREA  
REDEVELOPMENT PLAN ENTITLED  
"DOWNTOWN HAMILTON ACTION PLAN:  
PHASE II, REDEVELOPMENT PLAN,  
ADOPTED BY BY-LAW NO. 85-203"

THE CORPORATION OF  
THE CITY OF HAMILTON  
1986 FEBRUARY 11

## DOWNTOWN HAMILTON ACTION PLAN

### PREFACE:

THE CITY OF HAMILTON BY BY-LAW No. 85-203 PASSED THE 8TH DAY OF OCTOBER, ADOPTED A REDEVELOPMENT PLAN FOR THE DOWNTOWN CORE AREA OF THE CITY, WHICH WAS REFERRED TO AS 'PHASE II REDEVELOPMENT PLAN', AND DATED 1985 MAY.

THE WITHIN PLAN CONSTITUTES ADDENDUM No. 1 TO THE ABOVE ADOPTED REDEVELOPMENT PLAN AND IS COMPRISED OF 'PHASE III: THIRD PRIORITY ACTIONS'.

### INTRODUCTION:

#### BACKGROUND AND DESIGN OBJECTIVES

AS OUTLINED IN THE REDEVELOPMENT PLAN, RELATIVE TO THE SCHEDULING OF THE FOUR TYPES OF STREETSCAPE IMPROVEMENT, PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, SCHEDULED FOR IMPLEMENTATION IN 1986, PRESENTLY INCLUDES 'TYPICAL TREATMENT' (I.E., NEW, DECORATIVE SIDEWALK PAVING; BURIAL OF OVERHEAD, PHYSICAL PLANT; PEDESTRIAN-SCALE LIGHTING WITH BANNERS ON POLES; AND, BENCHES AND LITTER CONTAINERS) TO THE FOLLOWING STREETS:

- HUGHSON, FROM MAIN  
TO KING WILLIAM;
- JOHN, FROM MAIN  
TO KING WILLIAM; AND,
- KING WILLIAM, FROM  
JOHN TO CATHARINE

IN ADDITION, 'PARTIAL TREATMENT' - INCLUDING TREE PLANTING, BANNERS ON EXISTING AND NEW POLES AND, BENCHES AND LITTER CONTAINERS - WILL BE IMPLEMENTED, WHERE PHYSICALLY POSSIBLE, ON ALL OTHER STREETS WITHIN THE STUDY AREA HAVING DISCONTINUOUS RETAIL FRONTAGE AND/OR, WHERE NO BUILDINGS OCCUR AT ALL (I.E., VACANT LOTS, PARKING LOTS, ETC.); SPECIFICALLY: REBECCA, KING WILLIAM, MAIN, HUGHSON, JOHN, CATHARINE, MARY, WALNUT, FERGUSON, JARVIS, SPRING AND, WELLINGTON.

#### APPOINTMENT OF DESIGN CONSULTANTS

BASED UPON PREVIOUS EXPERIENCE; INTER-FACE WITH PRIOR PHASES AND OTHER FEATURES OF THE TOTAL PROJECT (I.E., PHASES I AND II); FEES; AND, ASSIGNED STAFF, CITY COUNCIL, AT ITS MEETING HELD 1985 AUGUST 27, IN ADOPTING SECTION 24., THE TWENTY-FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, APPROVED:

'THAT THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY, LANDSCAPE ARCHITECTS, BE RETAINED TO PREPARE THE DESIGN, IMPLEMENTATION DRAWINGS, SPECIFICATIONS, TENDER FORMS AND, OTHER INFORMATION NECESSARY FOR THE CITY OF HAMILTON TO OBTAIN COMPETITIVE TENDERS FOR THE PHASE III EXTENSION OF THE DOWNTOWN ACTION PLAN, IN ACCORDANCE WITH (THE ARCHITECT'S) WRITTEN PROPOSAL DATED 1985 JUNE 24...'



- 5 -

THE THIRD PHASE BEING AN EXTENSION OF THE FIRST AND SECOND PHASES AND, IN ORDER TO PROVIDE DESIGN CONTINUITY AND MAINTAIN THE ALREADY ESTABLISHED, HIGH LEVEL OF TECHNICAL CO-ORDINATION WITH GOVERNMENT AND UTILITY OFFICIALS, IT WAS BOTH LOGICAL AND REASONABLE TO FURTHER RETAIN THE FIRM OF MOORHEAD FLEMING CORBAN MCCARTHY.

### STUDY APPROACH

FROM THEIR MOST RECENT APPOINTMENT BY CITY COUNCIL (I.E., 1985 AUGUST 27) UP TO, AND INCLUDING THE PRESENT, THE CONSULTANT HAS UTILIZED THE FOLLOWING, BASIC STUDY APPROACH:

- BASED ON THE GENERAL, CONCEPTUAL FRAMEWORK OF THE DOWNTOWN HAMILTON ACTION PLAN, DU TOIT ASSOCIATES, LTD.; SUBSEQUENT AND ONGOING REVIEW OF PUBLIC-TRANSIT AND, TRAFFIC RELATED ISSUES; A THOROUGH UNDERSTANDING OF THE CONCERNS OF BOTH THE BROADER, AND IMMEDIATE COMMUNITY; AND, A REVIEW OF PROPOSALS WITH MR. R. DU TOIT, A SCOPE-OF-WORK AND CONCEPT PLANS WERE DEVELOPED FOR ALL OTHER STREETS WITHIN THE STUDY AREA.

THESE CONCEPT PLANS WERE SUITABLE FOR INTERNAL, TECHNICAL DISCUSSION AND, WITH BASIC REFINEMENT, SUITABLE FOR PUBLIC REVIEW. PLANNING/DESIGN MEETINGS WERE HELD BI-WEEKLY WITH THE DOWNTOWN ACTION PLAN CO-ORDINATING COMMITTEE OF THE PLANNING AND DEVELOPMENT COMMITTEE; WHICH FORMER COMMITTEE INCLUDES REPRESENTATION FROM THE DOWNTOWN BUSINESS IMPROVEMENT AREAS (B.I.A.'s).

- IN ADDITION TO APPRECIATING THE NEEDS AND SENSITIVITIES OF EFFECTED BUSINESSES AND OWNER, IT HAS BEEN CRITICAL TO UNDERSTAND THE IMPLICATIONS OF STREET AND UTILITY UPGRADING AND, TO LIAISE WITH APPROPRIATE STAFF OF THE AREA AND REGIONAL MUNICIPALITY; AND, THE VARIOUS 'UTILITIES' (E.G., HYDRO-ELECTRIC, GAS AND, TELEPHONE).

- SPECIFICALLY, THE SCOPE OF WORK GENERALLY INCLUDES:

CHANGES TO CURB ALIGNMENTS AS APPROPRIATE  
AND ACCEPTABLE.

RELOCATION OF UTILITIES.

SIDEWALK PAVING AND DESIGN.

PEDESTRIAN-SCALE LIGHTING  
( 'TYPICAL TREATMENT' ).

STREET FURNITURE ( BENCHES, LITTER  
CONTAINERS, INFORMATION KIOSKS,  
BICYCLE RACKS, ETC. ).

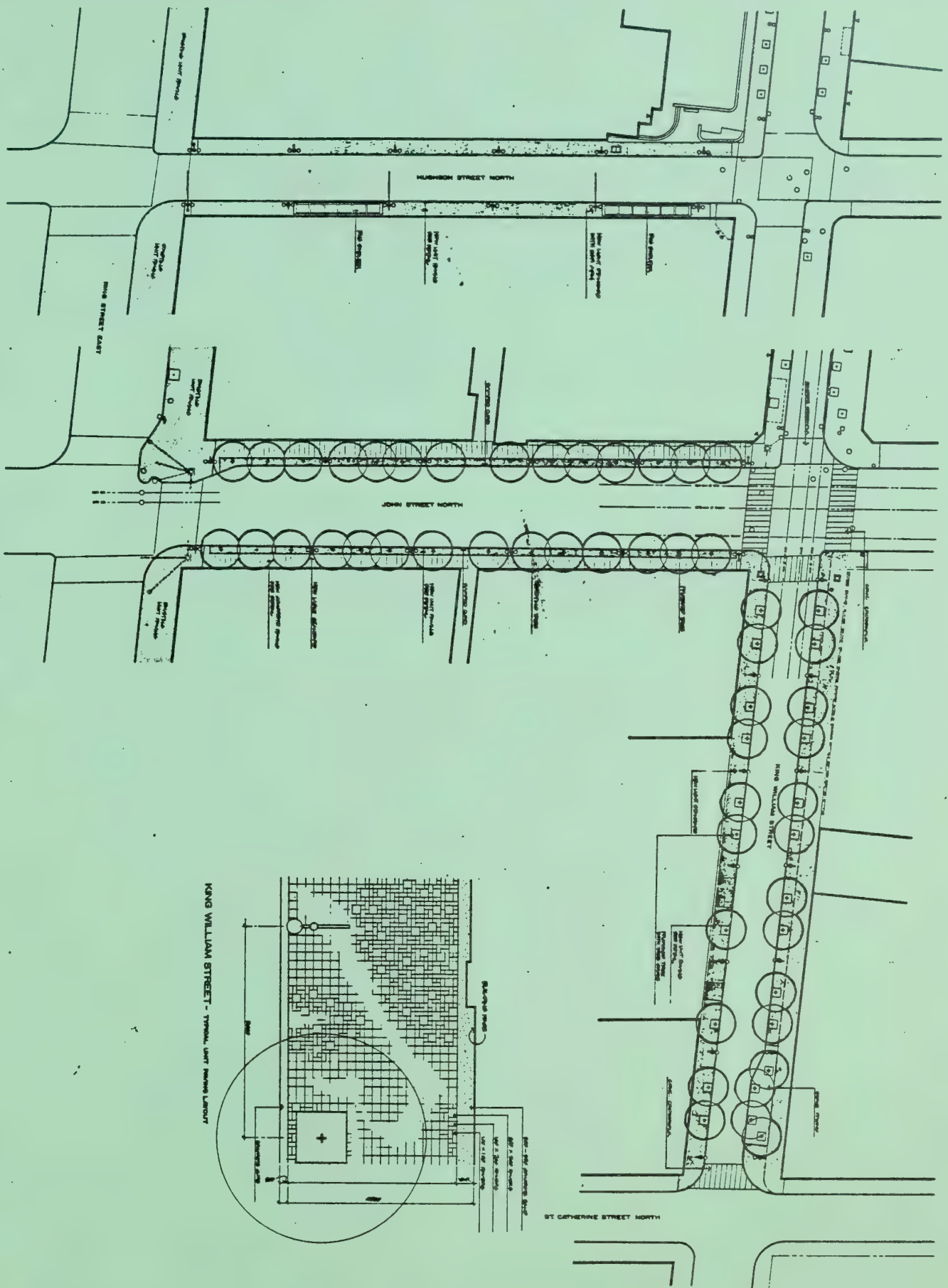
TREE AND SHRUB PLANTINGS.

OTHER SITE FEATURES, AS APPROPRIATE.

- THE REVIEW PROCESS WITH STAFF AND, INPUT FROM THE  
BUSINESS COMMUNITY TO CULMINATE WITH AN ACCEPTABLE,  
DETAILED DESIGN PLAN INDICATING AN AGREED-UPON  
ARRANGEMENT OF THE ABOVE CONSIDERATIONS.
- THE COUNCIL-APPROVED DESIGN PLANS TO BE DEVELOPED  
INTO IMPLEMENTATION DRAWINGS, SUITABLE FOR TENDERING,  
WITH FULL CO-ORDINATION RELATED TO MUNICIPAL, AND  
OTHER PUBLIC UTILITY REQUIREMENTS.

## IMPLEMENTATION

AS TO THE STREETScape IMPROVEMENT TO ALL OTHER STREETS WITHIN THE STUDY AREA - DESCRIBED, GENERALLY, IN THE 'INTRODUCTION: BACKGROUND AND DESIGN OBJECTIVES' - APPENDED HERETO AS APPENDIX 'A', DATED 1985 NOVEMBER 28, ARE DRAWINGS S1 AND S2 SHOWING, SCHEMATICALLY, THE PROPOSED ALTERATIONS TO HUGHSON AND JOHN STREETS, BETWEEN MAIN AND KING WILLIAM AND, KING WILLIAM STREET, BETWEEN JOHN AND CATHARINE. FURTHER APPENDED HERETO, AS APPENDIX 'B', AND, ALSO DATED 1985 NOVEMBER 28, ARE THE ELEMENTS AND COST ESTIMATES FOR IMPLEMENTATION OF THE STREETScape IMPROVEMENTS OF PHASE III.

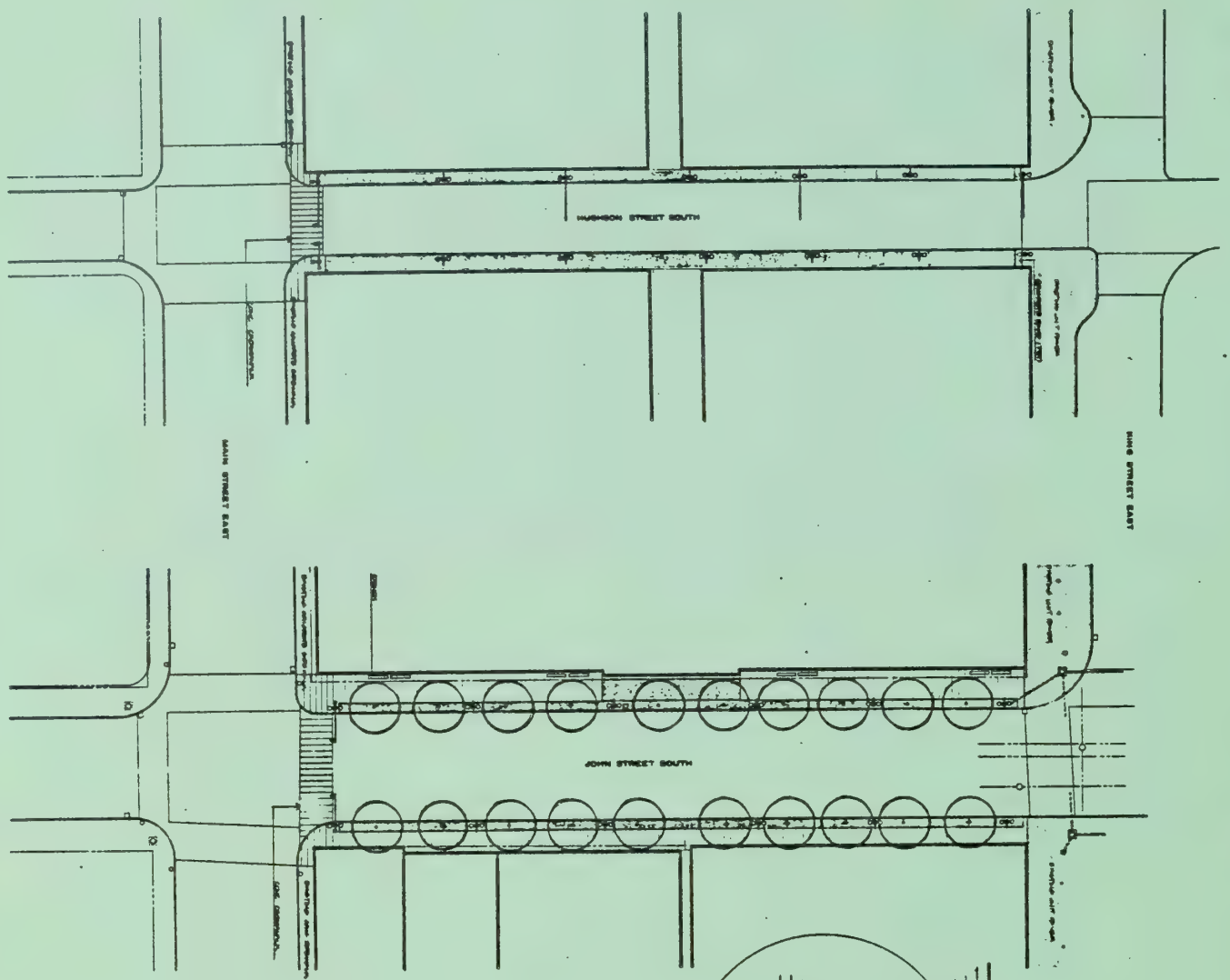


No.	Revision	Date

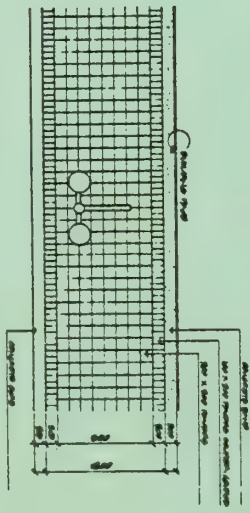
**Hamilton City**  
**City of Hamilton**  
**City Engineer**  
**City of Hamilton**  
**City Engineer**  
**City of Hamilton**  
**City Engineer**

**Downtown Hamilton**  
**Streetscape**  
**Phase IIIb**  
**Hamilton, Ontario**  
**Project No.** 201-0001  
**Client's Project No.** 201-0001  
**Scale** 1:200  
**Date** Nov. 20, 1985  
**Drawn** D.D.  
**Checked** P.A.B.  
**Project No.** 201-0001  
**Client's Project No.** 201-0001  
**Drawing No.** S-1

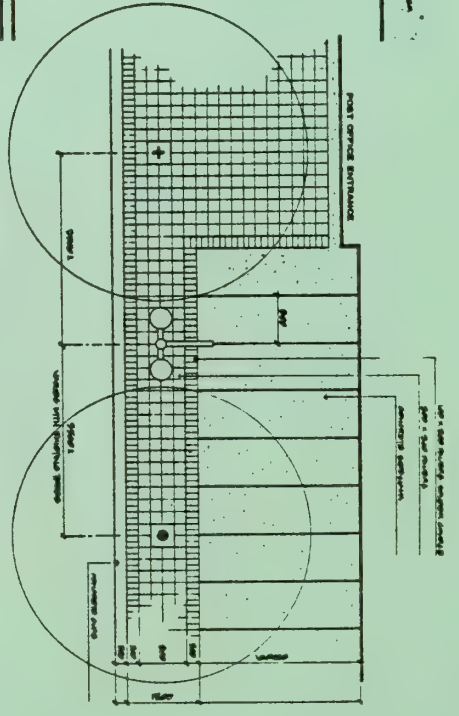




Hudson Street - Typical Unit Room Layout



John Street - Typical Unit Room Layout



No.	Description	Date
1	Revised	10/1/88
2	Revised	10/1/88
3	Revised	10/1/88
4	Revised	10/1/88
5	Revised	10/1/88
6	Revised	10/1/88
7	Revised	10/1/88
8	Revised	10/1/88
9	Revised	10/1/88
10	Revised	10/1/88

J-56

**Hamilton**  
City of Hamilton  
21 Bloor Street  
West  
Hamilton, Ontario  
M5S 1A7  
416 325 8238

**Hamilton**  
City of Hamilton  
21 Bloor Street  
West  
Hamilton, Ontario  
M5S 1A7  
416 325 8238

**Downtown Hamilton**  
Action Plan  
Streetscape  
Phase IIIb  
Hamilton, Ontario  
Hudson Street South /  
John Street South  
Concept Plan

Scale: 1:200  
Date: Nov. 28, 1988  
Drawn: D.D.  
Reviewed: B.B.S.  
Project No: 8853  
Client's Project No:  
Drawing No:

S-2



APPENDIX 'B'

HAMILTON PHASE IIIB

COST ESTIMATE

November 28, 1985

PARTIAL TREATMENT

	Quantity	Unit	Unit Cost	Total Cost
1. Spring				
a) banners c/w poles	2	ea.	\$1,500.00	\$ 3,000.00
b) banners	1	ea.	150.00	150.00
2. Ferguson (King to Main)				
a) asphalt demolition	340	sq.m.	13.00	4,420.00
b) new curb	170	m	40.00	6,800.00
c) concrete walk	340	sq.m.	35.00	11,900.00
d) banners with poles	2	ea.	1,500.00	3,000.00
e) banners	2	ea.	150.00	300.00
3. Ferguson (King to King William)				
a) trees	27	ea.	1,100.00	29,700.00
b) banners	5	ea.	150.00	750.00
4. Walnut (King to Main)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	2	ea.	150.00	300.00
5. Walnut (King to King William)				
a) trees	14	ea.	1,100.00	15,400.00
b) banners	5	ea.	150.00	750.00
6. Catherine (King to Main)				
a) banners c/w poles	3	ea.	1,500.00	4,500.00
b) banners	1	ea.	150.00	150.00
7. Catherine (King to King William)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
8. John (King William to Rebecca)				
a) Trees	13	ea.	1,100.00	14,300.00
b) banners c/w poles	3	ea.	1,500.00	4,500.00
c) banners	4	ea.	150.00	600.00
9. Hughson (King William to Rebecca)				
a) banners c/w poles	4	ea.	1,500.00	6,000.00
b) banners	6	ea.	150.00	900.00
10. Rebecca (James to Hughson)				
a) banners c/w poles	2	ea.	1,500.00	3,000.00
b) banners	3	ea.	150.00	450.00
11. Rebecca (Hughson to John)				
a) trees	25	ea.	1,100.00	27,500.00
b) banners c/w poles	2	ea.	1,500.00	3,000.00
c) banners	2	ea.	150.00	300.00

-2-

	Quantity	Unit	Unit Cost	Total Cost
12.Main (Bay to Wellington)				
a) banners	37	ea.	150.00	5,550.00
13.York (Bay to James)				
a) banners	14	ea.	150.00	2,100.00
14.McNab (King to Main)				
a) banners	6	ea.	150.00	900.00
15.King William (John to Wellington)				
a) banners	20	ea.	150.00	3,000.00
16.Wellington (King William to Main)				
a) banners	7	ea.	150.00	1,050.00
17.Jarvis (King William to King)				
a) banners	7	ea.	150.00	1,050.00
18.King at Ferguson				
a) paving at tracks	1	lump sum	10,000.00	10,000.00
Subtotal				171,770.00

FULL TREATMENT

Hughson (King to Main St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	350	sq.m.	8.00	2,800.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. concrete crosswalk	36	sq.m.	60.00	2,160.00
9. light poles	9	ea.	3,000.00	27,000.00
10. traffic poles	1	ea.	5,000.00	5,000.00
11. HSR poles	3	ea.	6,000.00	18,000.00
12. ducting & miscellaneous	185	m	25.00	4,625.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	12	ea.	100.00	1,200.00
Subtotal				114,137.50



-3-

	Quantity	Unit	Unit Cost	Total Cost
Hughson (King to King William St.)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	390	m	8.00	3,120.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	390	sq.m.	45.00	17,550.00
8. bus shelters	28	m	1,500.00	42,000.00
9. light poles	9	ea.	3,000.00	27,000.00
10. HSR poles	3	ea.	6,000.00	18,000.00
11. ducting & miscellaneous	170	m	25.00	4,250.00
12. banners	10	ea.	100.00	10,000.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00

Subtotal

157,595.00

John St. (King to Main)				
1. asphalt removal	180	sq.m.	13.00	2,340.00
2. curb removal	185	m	8.50	1,572.50
3. sidewalk removal	760	sq.m.	8.00	6,080.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	185	m	40.00	7,400.00
7. concrete unit paving	250	sq.m.	45.00	11,250.00
8. concrete paving	510	sq.m.	38.00	19,380.00
9. concrete crosswalk	60	sq.m.	60.00	3,600.00
10. light poles	10	ea.	3,000.00	30,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & miscellaneous	180	m	25.00	4,500.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	10	ea.	100.00	1,000.00
15. benches	8	ea.	600.00	4,800.00
16. trees	5	ea.	450.00	2,250.00

Subtotal

130,172.50





-4-

	Quantity	Unit	Unit Cost	Total Cost
John St. (King to King William)				
1. asphalt removal	110	sq.m.	13.00	1,430.00
2. curb removal	170	m	8.50	1,445.00
3. sidewalk removal	615	sq.m.	8.00	4,920.00
4. pole removal	8	ea.	200.00	1,600.00
5. new asphalt	110	sq.m.	40.00	4,400.00
6. new curb	170	m	40.00	6,800.00
7. concrete unit paving	205	sq.m.	45.00	9,225.00
8. concrete paving	410	sq.m.	38.00	15,580.00
9. concrete crosswalk	112	sq.m.	60.00	6,720.00
10. light poles	8	ea.	3,000.00	24,000.00
11. traffic poles	2	ea.	5,000.00	10,000.00
12. ducting & misc.	170	m	25.00	4,375.00
13. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
14. banners	8	ea.	100.00	800.00
15. trees	23	ea.	450.00	10,350.00

Subtotal

121,645.00

King William (John to Catherine)

1. asphalt removal	355	sq.m.	13.00	4,615.00
2. curb removal	215	m	8.50	1,827.50
3. sidewalk removal	620	sq.m.	8.00	4,960.00
4. pole removal	7	ea.	200.00	1,400.00
5. new asphalt	125	sq.m.	40.00	5,000.00
6. new curb	215	sq.m.	40.00	8,600.00
7. concrete unit paving	750	sq.m.	45.00	33,750.00
8. stone paving	55	sq.m.	140.00	7,700.00
9. road repaving	1	lump sum	65,000.00	65,000.00
10. concrete crosswalk	80	sq.m.	60.00	4,800.00
11. light poles	12	ea.	3,000.00	36,000.00
12. traffic poles	2	ea.	5,000.00	10,000.00
13. ducting & misc.	205	m	25.00	5,125.00
14. areaways & misc. utility adjustments	1	lump sum	20,000.00	20,000.00
15. banners	12	ea.	100.00	1,200.00
16. trees	24	ea.	450.00	10,800.00
17. tree grates	24	ea.	250.00	6,000.00
18. benches	2	ea.	600.00	1,200.00

Subtotal

227,977.50

Moorhead  
Fleming  
Corban  
McCarthy

-5-

SUMMARY

1.	Partial Treatment	\$ 171,770.00
2.	Hughson (K to M)	\$ 114,137.50
3.	Hughson (K to KW)	\$ 157,595.00
4.	John (K to M)	\$ 130,172.50
5.	John (K to KW)	\$ 121,645.00
6.	King William (John to Catherine)	\$ 227,977.50
		<hr/>
	Total	\$ 923,297.50
	10% Contingency	\$ 92,329.75
		-----
	Grand Total	\$1,015,627.25
		=====

COMMERCIAL AREA IMPROVEMENT  
PROGRAMME (C.A.I.P.):

PROVINCIAL/MUNICIPAL COST-SHARING

WITH THE DECISION OF CITY COUNCIL TO INCLUDE, IN THE 1985-1989 CAPITAL BUDGET, PROVISION TO IMPLEMENT PHASE III OF THE DOWNTOWN HAMILTON ACTION PLAN, CITY COUNCIL AT ITS MEETING HELD 1985 FEBRUARY 26, IN ADOPTING SUB-SECTION (D), SECTION 14., THE FOURTH REPORT FOR 1985 OF THE PLANNING AND DEVELOPMENT COMMITTEE, AUTHORIZED AND DIRECTED THAT APPLICATION BE MADE, TO THE MINISTRY OF MUNICIPAL AFFAIRS AND HOUSING, SEEKING FINANCIAL ASSISTANCE PURSUANT TO THE PROVISIONS OF THE COMMERCIAL AREA IMPROVEMENT PROGRAMME (C.A.I.P.) RELATIVE TO THE PHASE III IMPLEMENTATION MEASURES.

SUBSEQUENTLY, BY LETTER DATED 1985 APRIL 19, THE THEN MINISTER OF MUNICIPAL AFFAIRS AND HOUSING, THE HONOURABLE DENNIS R. TIMBRELL ADVISED THAT, PURSUANT TO THE REVIEW OF MUNICIPAL APPLICATIONS FOR FUNDING FOR THE 1985-86 FISCAL YEAR, THE CITY OF HAMILTON HAD BEEN ALLOCATED FOUR HUNDRED THOUSAND DOLLARS (\$400 000) PURSUANT TO THE PROVISIONS OF THE C.A.I.P.

SCHEDULES I AND II OF THIS APPENDIX PROVIDE, RESPECTIVELY, 'ITEMIZED COST ESTIMATES' AND, A 'C.A.I.P. PROJECT IMPLEMENTATION TIMETABLE AND ESTIMATE OF CASH FLOW', FOR PHASE III ONLY, BASED UPON THE PROVINCIAL ALLOCATION (I.E., \$400 000). CONSEQUENTLY, THE SCHEDULES REFLECT A GROSS PROJECT COST OF ONLY EIGHT HUNDRED THOUSAND DOLLARS (\$800 000), FOR PROVINCIAL ADMINISTRATIVE PURPOSES ONLY.

## ITEMIZED COST ESTIMATES

ITEMIZED COST ESTIMATES					
PROJECT DETAILS	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
KING WILLIAM STREET: DEMOLITION					
1.Asphalt removal	4 615.	2 307.50	2 307.50		2 307.50
2.Curb removal	1 827.50	913.75	913.75		913.75
3.Sidewalk removal	4 960.	2 480.	2 480.		2 480.
KING WILLIAM STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale Lighting	36 000.	18 000.		18 000.	18 000.
2.Trees, c/w Grates	16 800.	8 400.	8 400.		8 400.
3.Sidewalk	41 450.	20 725.	20 725.		20 725.
4.Road Repaving	65 000.	32 500.	32 500.		32 500.
5.Traffic Poles	10 000.	5 000.	5 000.		5 000.
6.New Asphalt	5 000.	2 500.	2 500.		2 500.
7.New Curb	8 600.	4 300.	4 300.		4 300.
8.Concrete crosswalk	4 800.	2 400.	2 400.		2 400.
9.Ducting					
10.Areaway & Misc. Utility adjustment	20 000.	10 000.	10 000.		10 000.
11.banners	1 200.	600.	600.		600.
12.benches	1 200.	600.	600.		600.
HUGHSON STREET: DEMOLITION					
1.Asphalt removal	2 860.	1 430.	1 430.		1 430.
2.Curb removal	3 017.50	1 508.75	1 508.75		1 508.75
3.Sidewalk removal	5 920.	2 960.	2 960.		2 960.
HUGHSON STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale Lighting	54 000.	27 000.		27 000.	27 000.
2.H.S.R. Poles	36 000.	18 000.	18 000.		18 000.
3.Sidewalk	35 100.	17 550.	17 550.		17 550.
4.New Curb	13 600.	6 800.	6 800.		6 800.
5.Traffic Poles (King to Main)	5 000.	2 500.	2 500.		2 500.
6.New Asphalt	4 400.	2 200.	2 200.		2 200.
7.Bus Shelters	42 000.	21 000.	21 000.		21 000.
8.Ducting	4 250.	2 125.	2 125.		2 125.
9.Banners	10 000.	5 000.	5 000.		5 000.
10.Areaways & Misc. Utility adjustments	20 000.	10 000.	10 000.		10 000.
JOHN STREET: DEMOLITION					
1.Asphalt removal	3 370.	1 685.	1 685.75		1 685.
2.Curb removal	3 017.50	1 508.75	1 508.75		1 508.75
Sub-Total	463 987.50	231 993.75	186 993.75	45 000.	231 993.75
Administration (Not to Exceed 15% of the Sub-Total)					
Total					



# ITEMIZED COST ESTIMATES

PROJECT DETAILS	Cost Estimate	Municipal Share (50%)	Provincial Share (50%)		
			Loan	Grant	Total
(Balance Carried Over)	463 987.50	231 993.75	186 993.75	45 000	231 993
JOHN STREET: DEMOLITION CONT'D					
3.Sidewalk removal	6 406.50	3 203.25	3 203.25		3 203.25
JOHN STREET: NEW WORK (FULL TREATMENT)					
1.Pedestrian Scale-Lighting	54 000.	27 000.		27 000.	27 000.
2.Trees, c/w Grates	12 600.	6 300.	6 300.		6 300.
3.Sidewalk	20 475.	10 237.50	10 237.50		10 237.50
4.New Curb	14 200.	7 100.	7 100.		7 100.
5.Traffic Poles	5 714.	2 857.	2 857.		2 857.
6.New Asphalt	8 800.	4 400.	4 400.		4 400.
7.Concrete unit paving	28 605.	14 302.50	4 969.50	9 333.	14 302.50
8.Concrete crosswalk	10 320.	5 160.	5 160.		5 160.
9.Traffic poles	15 417.	7 708.50	7 708.50		7 708.50
10.Ducting	8 875.	4 437.50	4 437.50		4 437.50
11.Areaways & other utility adjustments	40 000.	20 000.	20 000.		20 000.
12.Banners	1 800.	900.	900.		900.
13.Benches	4 800.	2 400.	2 400.		2 400.
Sub-Total	696 000.	348 000.	266 667.	81 333.	348 000.
Administration (Not to Exceed 15% of the Sub-Total)	104 000.	52 000.	NIL	52 000.	52 000.
Total	800 000.	400 000.	266 667.	133 333.	400 000.

FISCAL / YEAR / QUARTER PROJECT	CAIP PROJECT IMPLEMENTATION TIMETABLE & ESTIMATE OF CASH FLOW (\$000)																PROJECT COST
	1986				1987				1988				1989				
	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
D.H.A.P. (1) PHASE III																	
Administration			78	26													104
TOTAL CASH FLOW			600	200													800
																	TOTAL PROG COST

J-65

(1) April 1 - June 30; (2) July 1 - Sept. 30; (3) October 1 - December 31; (4) January 1 - March 31.

(1) Downtown Hamilton Action Plan

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LANDS LOCATED AT THE SOUTH-WEST CORNER OF  
STONE CHURCH ROAD WEST AND GARTH STREET

WHEREAS it is intended to change the zoning of the lands hereinafter referred to and to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Sheet No. W-27C of the District Maps, appended to and forming part of By-law No. 6593, is amended,

- (a) by changing from "AA" (Agricultural) district to "RT-20" (Townhouse - Maisonette) district, the land comprised in Block 1; and
- (b) by changing from "B" (Suburban Agriculture and Residential, etc.) district to "RT-20" (Townhouse - Maisonette) district, the land comprised in Block 2,

the extent and boundaries of each of which Blocks 1 and 2 are shown on a plan hereto annexed as Schedule "A".

2. The "RT-20" (Townhouse - Maisonette) district provisions applicable to the lands referred to in section 1 are amended to the extent only of the special requirement that,

- (a) notwithstanding subsection 10E (7) of By-law No. 6593, the density of development shall not exceed 25 units.

3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-20" district provisions, subject to the special requirement referred to in section 2.

4. By-law No. 6593 is amended by adding this by-law to section 19B as "S-946".

5. Sheet No. W-27C of the District Maps is amended by marking the lands referred to in section 1 of this by-law, "S-946".

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

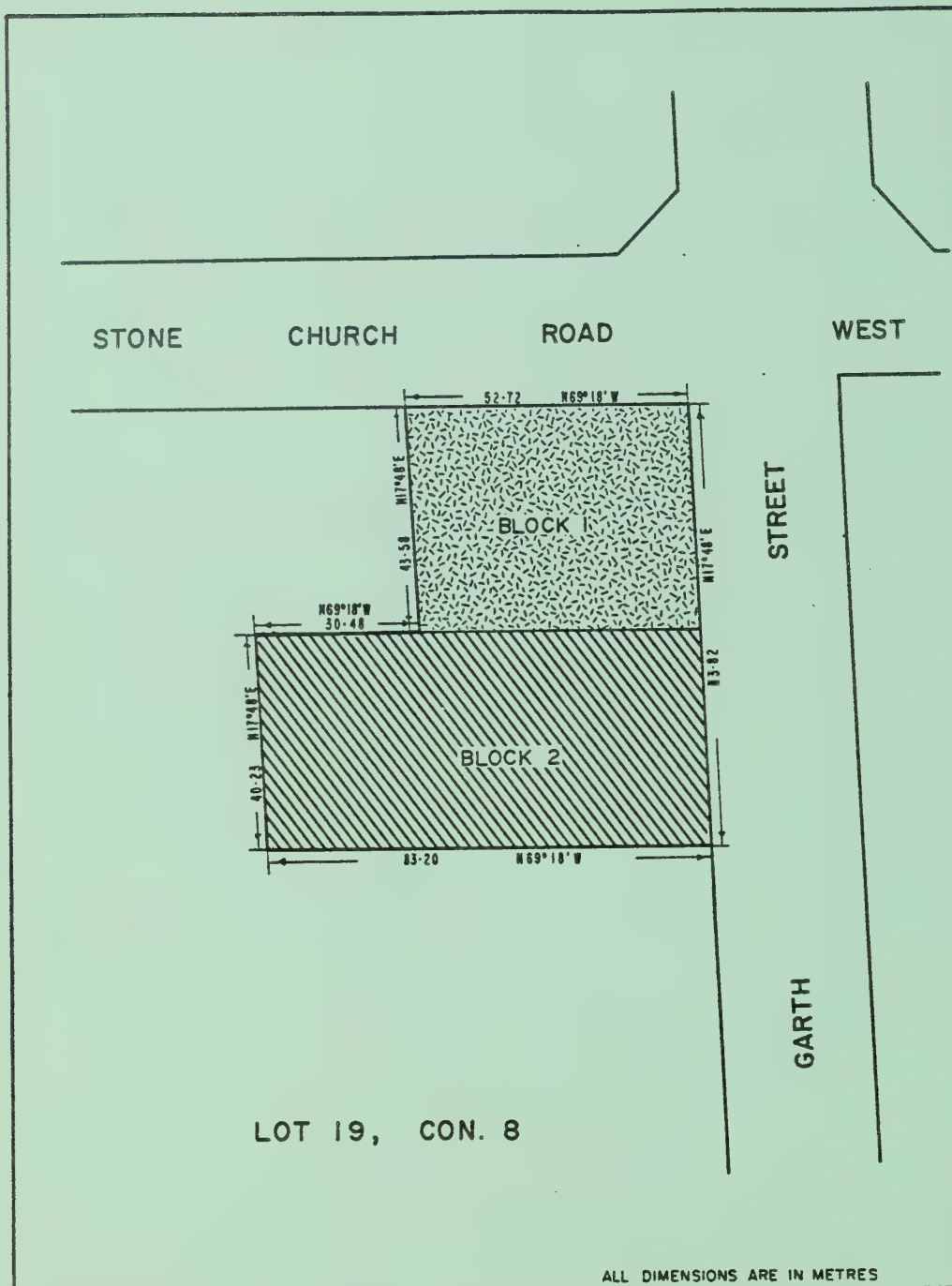
PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 3 R.P.D.C. 2, January 28  
West Highland Management Ltd.,  
Prospective Owner  
ZA-85-90





THIS IS SCHEDULE "A" TO BY-LAW NO. 86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

**CITY OF HAMILTON**  
**SCHEDULE "A"**

MAP FORMING PART OF

BY - LAW NO. 86-

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

**Legend**

- BLOCK 1** CHANGE IN ZONING FROM "AA" (AGRICULTURAL) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONETTE) DISTRICT.
- BLOCK 2** CHANGE IN ZONING FROM "B" (SUBURBAN AGRICULTURE & RESIDENTIAL, ETC.) DISTRICT TO "RT-20" (TOWNHOUSE-MAISONETTE) DISTRICT.

North



Scale  
1:1000

Date  
86-01-24

Reference File No.  
ZA85-90

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

THE REPLACEMENT OF THE REFRIGERATION SYSTEM AT  
EASTWOOD COMMUNITY RECREATION CENTRE ARENA

WHEREAS the Ontario Municipal Board, by Order dated the 24th day of January, 1986, (File No. E 851547) approved,

- (a) the replacement of refrigeration system at Eastwood Community Recreation Centre Arena at an estimated cost of \$725,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of the refrigeration system at Eastwood Community Recreation Centre Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 24th day of January, 1986, (File No. E 851547).
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

Respecting:

ADDITIONAL EXPENDITURE -  
REPLACEMENT OF ICE-MAKING SYSTEM AT INCH PARK

WHEREAS the Ontario Municipal Board, by Order dated the 2nd day of August, 1985 (File No. E 850719), approved,

- (a) the replacement of an Ice-Making System at the Inch Park Arena at an estimated cost of \$600,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 85-183, passed on the 27th day of August, 1985, authorized the proceeding with the said undertaking and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 2nd day of August, 1985;

AND WHEREAS the Ontario Municipal Board by Order dated the 17th day of October, 1985 (File No. E 850719), approved,

- (c) an additional expenditure of \$300,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of the debentures, and
- (d) the issuance of additional debentures in the amount of \$300,000.00 by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 86-39, passed on the 10th day of December, 1985, authorized proceeding with the said undertaking and the issue of debentures in accordance with the Ontario Municipal Board Order dated the 17th day of October, 1985;

AND WHEREAS the Ontario Municipal Board, by Order dated the 24th day of January, 1986 (File No. E 850719), approved,

the application by The Corporation of the City of Hamilton for an order approving the use of the sum of \$233,750.00, being unexpended debenture proceeds realized from the sale of debentures not required for the purpose or purposes for which the debentures were issued, payable out of the general rate, to pay part of the cost of replacement of the ice-making system at Inch Park.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of an Ice-Making System at the Inch Park Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 24th day of January, 1986, (File No. E 850719).
2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 8 R.P.R.C. 17, May 28  
(1985) 1 R.F.C. 6, December 10



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Authorize:

THE REPLACEMENT OF THE REFRIGERATION SYSTEM AT  
PARKDALE COMMUNITY RECREATION CENTRE ARENA

WHEREAS the Ontario Municipal Board, by Order dated the 24th day of January, 1986, (File No. E 851546) approved,

- (a) the replacement of refrigeration system at Parkdale Community Recreation Centre Arena at an estimated cost of \$725,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described as the replacement of the refrigeration system at Parkdale Community Recreation Centre Arena may now proceed in accordance with the Ontario Municipal Board Order dated the 24th day of January, 1986, (File No. E 851546).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

Respecting:

CORONATION COMMUNITY RECREATION CENTRE

WHEREAS the Ontario Municipal Board, by Order dated the 27th day of July, 1981 (File No. E 81863), approved,

- (a) the renovations, reconstruction, alteration and addition to the Coronation Community Recreation Centre at an estimated cost of \$648,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures as set out below by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 81-339, passed on the 8th day of December, 1981, authorized proceeding with the undertaking;

AND WHEREAS the Ontario Municipal Board, by Order dated the 4th day of January, 1983 (File No. E 81863), approved,

- (c) the use of \$173,159.02, being unexpended debenture proceeds realized from the sale of debentures issued for other purposes payable out of the general rate to pay part of the cost of the undertaking herein;

AND WHEREAS By-law No. 83-52, passed on the 8th day of February, 1983, authorized the use of the said \$173,159.02 for the purpose of the undertaking herein;

AND WHEREAS the Ontario Municipal Board, by Order dated the 30th day of January, 1986 (File No. E 81863), approved,

- (d) an additional expenditure of \$725,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of the debentures; and

- (e) the issuance of additional debentures in the amount of \$725,000.00 by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The undertaking described above may now be proceeded with in accordance with the said Ontario Municipal Board Order dated the 30th day of January, 1986, (File No. E 81863).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1981) 16 R.P.R.C. 2(a,b), June 23  
(1983) 14 R.F.C. 9, June 23  
(1982) 19 R.F.C. 6, October 26  
(1985) 1 R.P.R.C. 4, December 10  
(1985) 1 R.F.C. 9, December 10

The Corporation of the City of Hamilton

BY-LAW NO. 86-

Respecting:

THE IVOR WYNNE STADIUM

WHEREAS the Ontario Municipal Board by Order dated the 25th day of November, 1985 (File No. E 831132) approved,

- (a) the repairs to Ivor Wynne Stadium at an estimated cost of \$625,000.00, and the borrowing of money by way of temporary advances not exceeding in the aggregate such estimated cost pending the sale of debentures, and
- (b) the issuance of the necessary debentures by The Regional Municipality of Hamilton-Wentworth, chargeable to the applicant corporation;

AND WHEREAS By-law No. 84-1, passed on the 10th day of January, 1984, authorized proceeding with the undertaking;

AND WHEREAS the Ontario Municipal Board by Order dated the 30th day of January, 1986 (File No. E 831132) approved,

- (c) an additional expenditure of \$1,275,000.00 covering an additional estimated cost of this amount, and the borrowing of money by way of temporary advances not exceeding in the aggregate such additional estimated cost pending the sale of the debentures, and
- (d) the issuance of additional debentures in the amount of \$1,275,000.00 by The Regional Municipality of Hamilton-Wentworth chargeable to the applicant corporation.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:



1. The undertaking described above may now be proceeded with in accordance with the said Ontario Municipal Board Order dated the 30th day of January, 1986, (File No. E 831132).

2. The proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all such things necessary to give effect to the said Order of the Ontario Municipal Board.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1983) 18 R.P.R.C. 9, September 27  
(1983) 16 R.F.C. 10, September 27  
(1985) 1 R.P.R.C. 7, December 10  
(1985) 1 R.F.C. 8, December 10

BY-LAW NO. 86-

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE 25th DAY OF February A.D., 1986.

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this                      day of                      A.D. 198 6

CITY CLERK

MAYOR





E. A. SIMPSON  
CITY CLERK

K. E. AVERY  
DEPUTY CITY CLERK

CITY HALL  
HAMILTON, ONTARIO  
L8N 3T4

## RATION OF THE CITY OF HAMILTON

OFFICE OF THE CITY CLERK

URBAN/MUNICIPAL

CA40NHBL A05

A31, 1986

### MEETING OF THE COUNCIL

OF THE CORPORATION OF THE CITY OF HAMILTON

MAR 10 1986

Tuesday, 1986 March 11  
7:30 o'clock p.m.  
Council Chambers, City Hall

### A G E N D A

1. Prayer - Reverend E. Haase  
Grace Lutheran Church  
West Hamilton
2. Minutes of the Meeting held 1986 February 25
3. Correspondence
  - (a) Petition against proposed zoning change,  
south/east corner of King Street East  
and Greenhill Avenue
4. Reports of Standing Committees - attached:
  - (A) Executive Committee
  - (B) Transport and Environment Committee
  - (C) Parks and Recreation Committee
  - (D) Planning and Development Committee
  - (E) Legislation Committee
  - (G) Finance Committee
  - (H) City of Hamilton Licensing Committee
5. Notices of Motion for next meeting
6. First reading of the Bills
7. Second reading of the Bills - Committee of the Whole
8. Third reading of the Bills
9. Question period
10. Adjournment.





REPORT OF THE EXECUTIVE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Executive Committee presents its SEVENTH Report for 1986 and respectfully recommends:

1. (a) That the Executive Committee be authorized and directed to take all necessary steps to develop an overall "Strategic Plan" for the City of Hamilton, which plan should include the following:
    - (i) A Mission Statement
    - (ii) Establishment of Short and Long Term Goals
    - (iii) Corporate strategies on process and implementation
    - (iv) An implementation program with time frames
    - (v) An action plan that allows for alternative strategies
  - (b) That every effort be made to have the Strategic Plan finalized for Council's consideration no later than December 31, 1986.
  - (c) That an amount of \$50 000 be appropriated for the establishment and implementation of a Strategic Plan.
  - (d) That the Finance Committee be requested to include provision in the 1986 Budget Estimates to provide for this expenditure.
2. That leave be granted to introduce the following bill:

Bill A-1: A by-law to amend Procedural By-law No. 82-203.

Respectfully Submitted

Mayor R. M. Morrow, Chairman  
Executive Committee

J. J. Schatz, Secretary  
Executive Committee  
1986 March 6









## REPORT OF THE TRANSPORT AND ENVIRONMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Transport and Environment Committee presents its SEVENTH Report for 1986 and respectfully recommends:

1. That Ferguson Avenue between King Street and Main Street be placed back on the 1986 Reconstruction/Resurfacing Program, for the reconstruction of the roadway, at an estimated cost of \$27 000.

**NOTE:** The Transport and Environment Committee, at its meeting held February 17, 1986, deleted Ferguson Avenue from the 1986 Reconstruction/Resurfacing Program but left the funding in place to be applied as residual funds to the first project on the supplementary list. Ferguson Avenue was placed as the lowest priority on the supplementary list which meant that it would probably not be completed until sometime in 1987.

2. That the following apartment buildings (having compaction facilities) be added to the collection services provided by the City of Hamilton:

(a) 2100 King Street East (72 Units)

(b) 340 Cochrane Road North (63 Units)

3. That the Mayor and City Clerk be authorized to execute a Garbage Collection Agreement between The Corporation of the City of Hamilton and Liuna Hamilton Association for the collection of garbage at 1169 Upper Wellington Street, Hamilton.

**NOTE:** This Agreement will require the Applicant to indemnify and save the City harmless against any loss, and to purchase and file with the City Clerk an insurance policy to this effect, such policy to be in an amount satisfactory to the City Solicitor. The City's Garbage By-Law No. 66-182 provides for such collection.

4. That orders be issued for the disposal of waste materials to the following companies and at the rates shown:

Philip Enterprises Inc., Hamilton, Ontario - Full single axle - \$39  
- Estimated Total \$49 000

Taro Aggregates, Hamilton, Ontario - Per Ton \$4.50  
- Estimated Total \$17 000

NOTE: Funds have been provided for in the estimates for this purpose. Two sites are available for the convenience of Public Works and are located on Brant Street and Highway No. 20 at Green Mountain Road.

5. (a) Whereas City Council at its meeting on May 8, 1984 and January 29, 1985 approved the City's share of curbs, sidewalks, and final roads in Aspen Estates Phase I in the amount of \$70 799.18 and whereas, based on the low tender, the additional cost of the City is approximately \$1 200.

It is recommended:

- i) That authorization be given for the additional expenditure of \$1 200; and,
- ii) That the expenditure be charged to Account No. 0280-12.

- (b) Whereas City Council at its meeting on May 29, 1984, approved the City's share of curbs, sidewalks, and final roads including catchbasins and connection in "Thorner No. 3" Subdivision in the amount of \$37 136.60 and whereas, based on the low tender, the additional cost to the City is approximately \$5 800.

It is recommended:

- i) That authorization be given for the additional expenditure of \$5 800; and,
- ii) That the expenditure be charged to Account No. 0280-12.

- (c) Whereas City Council at its meeting on July 31, 1984, approved the City's share of roadworks in Rexford Heights (Phase I) in the amount of \$11 722 and whereas, based on the low tender, the additional cost to the City is approximately \$1 600.

It is recommended:

- i) That authorization be given for the additional expenditure of \$1 600; and,
- ii) That the expenditure be charged to Account No. 0280-12.

6. (a) i) That item 64 of the Transport and Environment Committee Report 9-85, as adopted by City Council on June 25, 1985 be rescinded; and
- ii) that the revised Engineering Schedules for the estimated cost of services in "Quincy Court", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- iii) that the City's share for the cost of services for this development be revised to \$16 549.09 and charged to the Reserve for Services through Unsubdivided Lands, Account No. 0280-12; and
- iv) That the approval of the above clauses be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and,
- v) That in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he enter into a standard Agreement for Pre-Servicing.
- (b) i) That item 14(b) of the Transport and Environment Committee Report 3-86, as adopted by City Council on January 28, 1986 be rescinded; and
- ii) that the revised Engineering Schedules for the estimated cost of services in "Hillside Terrace - Phase 3", as approved by the Commissioner of Engineering, be adopted for inclusion in the proposed Subdivision Agreement; and
- iii) that the approval of the above clause be subject to the condition that no work be commenced until the Final Survey Plan and the Subdivision Agreement have been registered; and
- iv) that in the event that the Subdivider wishes to proceed prior to the registration of the Final Plan of Subdivision, he should be permitted to do so at his own risk, provided that he entered into a Standard Agreement for Pre-Servicing.



7. (a) That the application of Mr. Jerry Ingrassia, on behalf of the owner(s) of 1657 Main Street East, Harry Wichmann, to retain the following inadvertent encroachments on the road allowance of Normanhurst Avenue consisting of:

frame garage 0.12m (0.41') by 6.1 m (20.0'), and

brick house 1.89 m (6.20') by 15.24m (50.0')

be approved, during the pleasure of City Council, provided:

- i) That the owner(s) enter into an encroachment agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation within 30 days from the date of this resolution.

- (b) That the application of Mr. Herman Faber, on behalf of the owner(s) of 413 Charlton Avenue West, Maryann Ver Hoog, to obtain the following inadvertent encroachment(s) on the road allowance consisting of:

concrete stoop and steps 1.27 m (4.17') by 3.05m, (10.0') and

one storey frame house 0.04 m (0.13') by 0.61m (2.0')

be approved, during the pleasure of Council, provided:

- i) That the owner(s) enter into an agreement satisfactory to the City Solicitor to indemnify and save the City harmless from all actions, causes of action, interest, claims, demands, costs, damages, expenses and loss.
- ii) That an annual fee of \$35 be set for this privilege, which fee shall be due and payable to the Corporation 30 days from the date of this resolution.

8. That "Opera Hamilton" be permitted to display a promotional banner across Main Street West, in front of City Hall, from April 14, 1986 to April 28, 1986, subject to the policy guidelines and conditions approved by Council on October 29, 1985.

NOTE: Banner message content - "Opera Hamilton "Carmen" May 1, 2"

9. That the City Solicitor be authorized and directed to prepare a By-law to widen Limeridge Road by incorporating therein Part 1 Plan 62R-7840 and Parts 1, 2, 3 and 4 Plan 62R-3175, together with a strip of land 10' x 63' immediately and adjacent to the west of Part 2.

NOTE: The City of Hamilton is the owner of Part 1, Plan 62R-7840 and Parts 1, 2, 3, and 4, Plan 62R-3175, together with another strip of land 10' wide immediately to the west of Part 2. Parts 2, 3, & 4, Plan 62R-3175 and Part 1 Plan 62R-7840 are 10' wide parcels and part 1 Plan 62R-3175 is a daylighting triangle. These lands were dedicated to the City as a condition of approval by the Land Division Committee for the widening of Limeridge Road.

The adjacent land owner now wishes to develop his lands, and in order that his lands are not separated from Limeridge Road by the City's lands, it is necessary to incorporate the City's lands into Limeridge Road by By-law.

10. That the City Solicitor be authorized and directed to prepare a By-law to extend West Park Avenue by incorporating herein Part 9 Plan 62R-7497.

NOTE: The City of Hamilton is the owner of Part 9, Plan 62R-7497 which will be, when incorporated, an extension of West Park Avenue. The former owner dedicated this land to the City to give access to four building lots that are shown on the same Plan 62R-7497, namely Parts 1, 4, 7 and 8, together with a grant of easement for sewer purposes. It is now necessary to incorporate Part 9 into the Street so that these building lots have street frontage.

All costs for servicing have been paid to both the City and Region.

11. (a) That the Commissioner of Transportation be authorized and directed to advise the Canadian Transport Commission that the City of Hamilton will pay 12-1/2% of the installation costs plus 50% of future maintenance costs of the proposed automatic protection on the CNR crossing of Simcoe Street East, west of Wellington Street, mileage 0.24 N & NW Spur; and
- (b) That the funds necessary to finance the City's portion of the installation and future maintenance costs estimated at \$4 600 and \$3 200 respectively be included in the 1987 Current Budget Railway Crossing Maintenance Account.

NOTE: The Canadian Transport Commission (CTC) is recommending that consideration be given to installing automatic protection at the above-noted crossing.

During 1985 staff met with representatives from the CTC and CNR at this crossing to discuss a proposal for automatic protection. The Crossing is presently protected by signs only.

12. (a) That the application by Salerno Dairy Products Limited to lease a portion of the boulevard of Morley Street adjacent to the property at No. 20 Morley Street be approved, provided that:
- i) the applicant pays the annual fee in accordance with the fee structure approved by the City Council on March 13 (current rate is \$2.60 per square meter), plus taxes, if any, in addition to the \$10 annual fee (approved by City Council on 1984 February 14) for encroachment insurance.
  - ii) the owner complies with the requirements as set out in the policy approved by City Council on 1975 June 24, respecting using a portion of road allowance for parking purposes.
  - iii) the approach, parking area and other structures as approved by the Director of Traffic Services, be constructed and maintained at the owner's expense.
  - iv) the owner executes an agreement, satisfactory to the City Solicitor, to indemnify and save the City harmless from all actions, interest, claims, demands, costs, damages, expenses and loss.
- (b) i) That the existing Residential Boulevard Parking Agreement, registered as Instrument No. 284444 C.D. on the title of the property at No. 146 Beach Road be discharged, at the property owner's expense; and,
- ii) that the City Solicitor be directed to process the documents in relation to the discharge of this agreement.
13. (a) That stopping be prohibited on the east side of Poulette Street between Jackson Street West and a point 50 feet northerly therefrom; and
- (b) That stopping be prohibited on the east side of Poulette Street between Jackson Street West and a point 50 feet southerly therefrom; and
- (c) That by-law 66-100 be amended accordingly.



14. (a) That the direction of stop control at the intersection of Province Street North and Britannia Avenue be switched, such that westbound traffic on Britannia is required to stop for northbound and southbound traffic on Province; and
- (b) That By-law 66-100 be amended accordingly.
15. (a) That in accordance with the request by the Hamilton Street Railway Company the Fennell Bus Route be realigned such that northbound buses will be permitted to operate on Benson Avenue between Grenfell Street and Beach Road rather than westbound on Grenfell Street between Benson Avenue and Beach Road; and
- (b) that Benson Avenue be designated as a "Snow Route" between Grenfell Street and Beach Road; and
- (c) that parking be prohibited at all times on the west side of Benson Avenue between Grenfell Street and Beach Road, in place of the existing "Alternate Side Parking" regulations; and
- (d) that stopping be prohibited on the east side of Benson Avenue between Grenfell Street and a point 55 feet northerly therefrom; and
- (e) that by-law 66-100 be amended accordingly.
16. (a) That one "Reserved Permit Parking" space be designated on the west side of Woodbine Crescent, commencing at a point 215 feet south of Jones Street and extending to a point 220 feet southerly therefrom; and
- (b) that by-law 66-100 be amended accordingly; and
- (c) that Mr. G. Boswell, 17 Woodbine Crescent, be issued one parking permit to allow his vehicle to be parked in the "Reserved Permit Parking" space.
17. That a four-way stop control be implemented at the intersection of Inverness Avenue and East 18th street.



18. That leave be granted to introduce the following bills:

(a) B-22 - A by-law to Amend By-law 66-100 to Regulate Traffic

(b) B-23 - A by-law to Amend By-law 66-100 to Regulate Traffic.

Respectfully submitted,

ALDERMAN H. MERLING, CHAIRMAN  
TRANSPORT AND ENVIRONMENT COMMITTEE

R. C. Prowse, Secretary,  
Transport and Environment Committee

RCP:tb





REPORT OF THE PARKS AND RECREATION COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Parks and Recreation Committee presents its Seventh Report for 1986 and respectfully recommends:

1. (a) That the City of Hamilton approve the renewal of the lease with Chedoke-McMaster Hospitals for 2.16 acres of land located on the north side of Sanitorium Road adjacent to the Holbrook School for recreational purposes. The lease will be from year to year at a rental of \$1.00 per year commencing 1986 January 1.
- (b) That the City Solicitor prepare the necessary lease documents and the Mayor and City Clerk be authorized to execute this lease renewal.

**NOTE:** The City has leased this land from the Hospital for the past twenty years for the Holbrook Park.

2. (a) That the City Solicitor be authorized and directed to prepare a lease in favour of Scott-MacDonald Ltd. for the use of Municipal lands in the area of Picton Street, consisting of 4.4934 acres of land and water designated as Part 4 on a Plan of Expropriation registered as Instrument No. 280084 CD in the Land Registry Office for the Registry Division of Wentworth.
- (b) That the term of the lease be one year commencing 1985 December 1 and the monthly rental be \$1,000. with the leasee Scott-MacDonald Ltd. to pay all operating costs and business and realty taxes; (taxes estimated to be \$5,700. in 1986).
- (c) That a provision be included in the lease to acknowledge that its execution will be without prejudice to any rights of Scott-MacDonald Ltd. to claim compensation pursuant to the expropriation of the lands of Samuel and Sheridan Lax.

**NOTE:** On 1985 April 9, City Council adopted Item 6 of the Sixth Report of the Parks and Recreation Committee approving the tenancy of Scott-MacDonald Limited on City lands expropriated from Samuel and Sheridan Lax to allow a continuation of the established Marina operations on the site. The renewal of the existing tenancy under the same terms and conditions as previously approved by Council for one (1) year will not interfere with the implementation of the Waterfront Master Plan.



3. (a) That approval be given for renewal of an agreement between the City of Hamilton and the Minister of Environment (National Water Research Institute Burlington) for City lands immediately east of 57 Beach Blvd. from 1985 December 31 to 1988 December 31, subject to either party having a right to terminate said agreement on thirty days notice.

(b) That the City Solicitor be directed to finalize this agreement.

NOTE: This agreement is for City owned lands immediately east of 57 Beach Blvd. The lands are to be used to maintain a trailer on the site for the purpose of conducting a beach erosion study to better understand wave and coastal processes in Lake Ontario.

4. In accordance with the City's policy with respect to encroachments on City owned lands, it is recommended that Mr. A. Rispoli of 78 Bow Valley Drive, Hamilton be notified to remove the metal structure encroaching on City owned lands at the rear of his property within 45 days and if not complied with, that the City Solicitor be authorized to take whatever steps are necessary to remove the encroachment.

NOTE: Encroachments on City owned lands can be dealt with by way of a lease, for landscaping purposes only and no permanent structures are to be permitted (i.e.) fence, retaining walls, swimming pools, etc. Mr. A. Rispoli has erected a steel structure approximately 10' X 32' on City owned lands which is used for storage areas, a dog house and shelter for chickens.

Respectfully submitted,

ALDERMAN T. MURRAY, CHAIRMAN  
PARKS AND RECREATION COMMITTEE

Mrs. L. Dale, Secretary  
Parks and Recreation Committee  
1986 March 4





## REPORT OF THE PLANNING AND DEVELOPMENT COMMITTEE

To the Council of the Corporation of the City of Hamilton

To the Members of Council:

The Planning and Development Committee presents its SIXTH Report for 1986 and respectfully recommends:

1. a. That approval be given to an amended Zoning Application 85-111, Wentworth Construction Planning, prospective owner, requesting a change in zoning from "L-mr-2" (Planned Development-Multiple Residential) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, for property located at No. 124 Walnut Street South, to permit the conversion of an existing warehouse building into a 35 unit apartment building for senior citizens, as shown on the attached map marked as APPENDIX "A", on the following basis:
  - i) That the subject lands be rezoned from "L-mr-2" (Planned Development-Multiple Residential) District to "E" (Multiple Dwellings, Lodges Clubs, etc.) District;
  - ii) That the "E" (Multiple Dwellings, Lodges Clubs, etc.) District regulations as contained in Section 11 of Zoning By-law No. 6593, applicable to the subject property be modified to include the following variances as special requirements:
    - (a) That notwithstanding the provisions of Section 11.(1) of By-law No. 6593, a multiple dwelling containing a maximum of 35 dwelling units for the accommodation of only elderly persons of at least 60 years of age shall be permitted in the existing building;
    - (b) That notwithstanding the provision of Section 11.(3) of By-law No. 6593, all yards existing at the date of the passing of this By-law shall be retained; and,
    - (c) That notwithstanding the provisions of Section 11.(6) of By-law No. 6593 not less than 20% of the area of the lot on which the building is situated shall be landscaped.



- iii) That the Parking and Loading Requirements as contained in Section 18A of Zoning By-law No. 6593 applicable to the subject lands, be modified to include the following variances as special requirements:
  - (a) That notwithstanding the provisions of Section 1.(g) of TABLE 1, a minimum of 13 parking spaces shall be provided;
  - (b) That Sections 18A(11), 18A(12) and 18A(14) shall not apply; and,
  - (c) That TABLE 3 of Section 18A shall not apply.
- iv) That the amending By-law be added to Section 19B of Zoning By-law No. 6593 as Schedule S-950, and that the subject lands on Zoning District Map E-5 be notated S-950, and,
- v) That the proposed changes in zoning is in conformity with the Official Plan for the Hamilton Planning Area.
- b. That the applicant enter into an encroachment agreement with the City of Hamilton for the portions of the building, steps and retaining wall which encroach upon the Walnut Street South road allowance.
- c. That approval of the amending By-law be withheld until such time as a Site Plan is approved by the Planning and Development Committee.

**EXPLANATORY NOTE:**

The purpose of the By-law is to provide for a change in zoning from "L-mr-2" (Planned Development -Multiple Residential) District to "E" (Multiple Dwellings, Lodges, Clubs, etc.) District, modified for property located at No. 124 Walnut Street South, as shown on the attached map marked as APPENDIX "A".

The effect of the By-law is to permit the conversion of the existing warehouse building into a multiple dwelling having a maximum of 35 dwelling units for the accommodation of elderly persons of a least 60 years of age.

In addition, the By-law provides for the following variances:

- (a) to recognize the established yards of the existing building, notwithstanding that new construction would require greater yard requirements (Section 11.(3));

- (b) to permit a minimum landscaped area of 20% of the area of the lot, whereas a minimum of 25% of the area of the lot is required (Section 11.(6);
- (c) a minimum of 13 parking spaces shall be provided, whereas a minimum of 28 parking spaces would be required (Section 18A TABLE 1, Section 1.(g);
- (d) no loading space shall be provided whereas 1 space is required (Section 18A TABLE 3);
- (e) to permit required parking in a required front yard, whereas the zoning By-law prohibits it (Section 18A(14);
- (f) to permit the parking area to adjoin a residential district boundary whereas a minimum 1.5 m setback is required (Section 18A(11) (a), and to permit parking in the front yard within 3.0 m of a residential district (Section 18A(11) (b); and,
- (g) to delete the requirement of a landscaped planting strip between the boundary of the parking area and the residential district, and the requirement of a visual barrier not less than 1.2 metres high and not greater than 2.0 metres in height along with boundary of the lot abutting the residential district (Section 18A(12).

- 2.
  - a. That the Lisgar Neighbourhood Plan be amended to delete the public walkway between Larch Street and Northgate Drive.
  - b. That the closure and disposal of the walkway land be dealt with by the Transport and Environment Committee.

**EXPLANATORY NOTE:**

The owner of 223 Larch Street in the Lisgar Neighbourhood has applied for the closure of the above walkway to the Transport and Environment Committee.

3. That approval be given to application SA-85-23, Branocon (Hamilton) Limited., owners, to establish a draft plan of condominium located on the east side of East Avenue north of Main Street, subject to the following conditions:
  - (a) That this approval apply to the plan prepared by MacKay, MacKay and Peters, dated April 1, 1985, showing a 7 storey apartment building.
  - (b) That the final plan comply with the approved site plan.
4. a. That approval be given to Application SA-85-20 "Gagliano Gardens", DiCenzo Construction Limited, owner, to establish a draft plan of subdivision north of Rymal Road East and west of Upper Gage Avenue, subject to the following conditions:
  - i) That this approval apply to the plan prepared by A. J. Clarke and Associates, O.L.S., dated November 19, 1985, revised December 16, 1985, further revised to show 44 lots, 1 block for development in conjunction with adjacent lands and 2 blocks for 0.3 m reserves and 1 block for future road purposes.
  - ii) That the proposed subdivision conform with the Zoning By-law approved under The Planning Act.
  - iii) That the owner make a cash payment in lieu of the conveyance of 5% of the land included in the plan to the City for park purposes.
  - iv) That such easements as may be required for utility or drainage purposes be granted to the appropriate authority.
  - v) That the owner provide the City of Hamilton with a certified list showing the net area and width of each lot in the final plan.
  - vi) That the streets be named to the satisfaction of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth.
  - vii) That the dead-end of the road allowances created by the plan be terminated in a 0.3 m reserve (Blocks 46 and 47) to be conveyed to the City of Hamilton and be held by the City until required for future extension of the road allowance.



- viii) That block 45 be developed only in conjunction with adjacent lands.
- ix) That block 48 be conveyed to the City for future road purposes.
- x) That the lands shown as a future road access between the lands of the owner and Upper Gage Avenue be established prior to or together with the final plan as a public highway.
- xi) That the owner agree in writing to satisfy all the requirements, financial and otherwise, of the City of Hamilton.

b. That a subdivision agreement be entered into by the Corporation of the City of Hamilton and the owner to provide for compliance with the conditions of approval established by the Hamilton-Wentworth Region with respect to this application (SA-85-20), DiCenzo Construction Limited, owners, proposed draft plan of subdivision, and that the City execute the agreement when the said conditions have been met and the City's share of the cost of installing municipal services has been approved by City Council.

c. That the Neighbourhood Plan be changed accordingly.

5. a. That the City of Hamilton approve a By-law to remove part-lot control from lots 34 to 50 inclusive on Plan M-384, Rolga Heights, and

b. That application be made to the Region to approve the By-law removing part-lot control on the above noted lots.

6. That Zoning Application 85-110, 596361 Ontario Limited, prospective owner, requesting a change in zoning from "AA" (Agricultural) District to "HH" (Restricted Community Shopping and Commercial) District, to permit the construction of a self-serve gasoline bar, car wash and commercial building, for the lands known municipally as Nos. 2804, 2808 and 2810 King Street East, be denied for the following:

"The proposed development is inappropriate for the Area."

NOTE: For the information of the members of City Council this application was denied on a 3 - 3 tie vote and is being forwarded at this time for Council's consideration.



7. That three members of the Committee of Adjustment be authorized to attend the 1986 Annual Conference of the Ontario Association of the Committees of Adjustment and Consent Authorities to be held for three days in June in Sudbury, Ontario, at an expense not exceeding \$600.00 each and that this expense be charged to account 0321-0291, Legislative Travelling.

**EXPLANATORY NOTE:**

As a result of input at the 1983 Conference, the 1987 Conference will be hosted in the City of Hamilton. In order that a liaison be maintained in preparation for the 1987 Conference, it is requested that three members of the Committee of Adjustment be authorized to attend this year's conference. The 1987 Conference will attract some 500 delegates and spouses to the City.

8. That the Building Commissioner be authorized to issue Demolition Permits for the demolition of residential buildings as outlined below for which application has been processed through the Building Department and the Planning and Development Committee:

- (a) 1 Emerald Street South
- (b) 444 Main Street West
- (c) 65 New Street
- (d) 814 Upper Paradise
- (e) 824 Upper Paradise
- (f) 294 Grays Road
- (g) 298 Grays Road
- (h) 713 Beach Boulevard

9. That an Offer to Purchase a parcel of vacant land located along the southern limit of York Boulevard between Locke and Pearl Streets, known as 425 York Boulevard executed by Victoria Park Community Homes Inc., on February 5th, 1986 and scheduled to close on August 1st, 1986, be accepted and completed.

This property has a frontage along the southern limit of York Boulevard of 284.89' and contains .566 Acres.

The purchase price is \$225,000.00, the proceeds of which will be credited to Account No. 0280-02. A cheque in the amount of \$100.00 is being held by the City Treasurer pending Council acceptance and closing of the transaction.

This Offer to Purchase is conditional upon:

- (a) The Purchaser arranging financing which is satisfactory to the Purchaser, consisting of an insured loan under Section 56.1 of THE NATIONAL HOUSING ACT with interest assistance pursuant to the said Section 56.1 of THE NATIONAL HOUSING ACT, on or before the date of closing. In the event that the said financing and assistance are not obtained by the date of closing, the Offer to Purchase shall become null and void, and the Purchaser's deposit shall be returned forthwith to the Purchaser in full without interest or penalty.
- (b) Ontario Housing Corporation providing rental subsidies and unit allocation to the Purchaser under the provisions of the Assured Housing Program for the Province of Ontario on or before the closing date of August 1, 1986. In the event that the said rental subsidies and unit allocation are not provided by the date of closing, the Offer to Purchase shall become null and void, and the Purchaser's deposit shall be returned forthwith to the Purchaser in full without interest.
- (c) The approval of the Minister of Municipal Affairs and Canada Mortgage and Housing Corporation, such approval to be obtained on or before August 1, 1986. In the event that the said approval of the Minister of Municipal Affairs and Housing and Canada Mortgage and Housing Corporation is not obtained on or before August 1, 1986, this Offer to Purchase shall become null and void and the Purchaser's deposit shall be returned forthwith to the Purchaser in full without interest or penalty.
- (d) The Purchaser, its architect or engineer, obtaining at the Purchaser's expense a soil test which is satisfactory to the Purchaser and which shall indicate that the soil of the subject property has a capacity to support the design load of a 50 unit apartment structure, and further that the soil is not encumbered with debris and other non-load bearing loose fill material which would inhibit or cause unreasonable expense to the construction of the project. In the event that a satisfactory soil test is not obtained by the Purchaser on or before August 1, 1986, this Offer to Purchase shall become null and void and the Purchaser's deposit shall be returned forthwith to the Purchaser in full without interest or penalty.

- (e) The Purchaser obtaining a development agreement which is satisfactory to the Purchaser, from the Corporation of the City of Hamilton permitting the construction of an apartment complex consisting of one, two and three bedroom apartment units as proposed in Paragraphs 1 and 2 of this Schedule "B". In the event that the said development agreement is not obtained by the Purchaser on or before August 1, 1986, this Offer to Purchase shall become null and void and the Purchaser's deposit shall be returned forthwith to the Purchaser in full without interest or penalty.
- (f) The Purchaser obtaining a Building Permit on or by August 1, 1986 for the construction of the development stipulated in a development agreement approved by the City.

The City warrants that the property is zoned "E" and permits the construction of apartment units thereon in accordance with zoning regulations and approval of a development agreement. Services, such as water, storm and sanitary sewers, gas and electricity are available to the site.

The Purchaser acknowledges to the Owner that the Purchaser realizes that in addition to the sales price payable there may be municipal, regional, governmental or provincial charges, fees and rates to be paid by the Purchaser; in particular, without limiting the generality of the foregoing, the Purchaser realizes that he may also be required:-

- i) to pay municipal, realty and business taxes;
- ii) to pay building permit application fees;
- iii) to pay for the connection of all utilities to the premises;
- iv) to prepare and obtain approval of site plans pursuant to The Planning Act prior to the issuance of a building permit and to enter into a site plan agreement if requested by the municipality.

The purchase price of \$225,000.00 has been derived by multiplying a rate of \$4,500.00 per unit by 50 units, the number of apartment units proposed to be developed on the site. In the event the Purchaser is unable to secure a permit to construct 50 units upon the lands being purchased, but is permitted to construct a fewer number of units on the site, the purchase price shall be adjusted downwards at a rate of \$4,500.00 per unit to reflect the fewer number of units to be developed on the site, but in any event, the total purchase price shall at no time be reduced to less than \$207,000.00 based on a development of 46 units.



In the event the Purchaser desires to construct more than 50 units on the site and receives all approvals to do so, the purchase price shall increase accordingly at a rate of \$4,500.00 per unit multiplied by the number of units to be constructed on the site.

The purchase price shall include all Regional and City Lot Levies, impost fees, and park dedication fees payable to the Corporation of the City of Hamilton and the Regional Municipality of Hamilton-Wentworth. The Purchaser shall be responsible for the payment of the building permit fees.

10. That the City Solicitor be authorized to prepare a Quit Claim Deed from the City of Hamilton to Hiltar Enterprises Limited, the present owners of 50 Warrington Street to release the property from construction covenants to the City as contained in deed 370301 AB.
11. The Corporation of the City of Hamilton accept the sum of \$8,614.60 as cash payment in lieu of 5% dedication in connection with "Wentworth Meadows", Hamilton.

**EXPLANATORY NOTE:**

These lands are located West of Upper Wentworth Street, North of Sirente Drive in the Crerar Neighbourhood, Hamilton.

12. i) That, the request of P. Pappas, owner, "Grapes N' Things" restaurant, 103 King Street East, to construct a second storey, patio cafe over the sidewalk on King Street East, as per plans attached, herewith, as APPENDIX "B", be approved; and,
- ii) That, the Engineering Services Committee of The Regional Municipality of Hamilton-Wentworth be so advised.

13. That leave be granted to introduce the following Bills:

- Bill D-21 By-law to Amend Zoning By-law No. 6593 Respecting Land Located at Municipal No. 296 Brucedale Avenue East.
- Bill D-23 By-law to Establish a Board of Management for The Westdale Business Improvement Area Designated by By-law No. 86-30.
- Bill D-24 By-law to Establish a Board of Management for the Ottawa Street North Business Improvement Area Designated by By-law No. 86-31.



- Bill D-25 By-law to Designate as a Heritage Conservation District the Area Comprised of St. Clair Avenue Between Main Street East and Delaware Avenue.
- Bill D-26 By-law to Amend Zoning By-law No. 84-152 Respecting Land Located on the West Side of Grays Road, in the Area North of the Queen Elizabeth Way.
- Bill D-27 By-law to Adopt Official Plan Amendment No. 35 Respecting Lands Located on the West Side of Upper Gage Avenue, North of Limeridge Road East in Lawfield Neighbourhood.
- Bill D-28 By-law to Adopt Official Plan Amendment No. 36 Respecting Lands Located on the East Side of Victoria Avenue North, North of Barton Street East in the Landsdale Neighbourhood, and Known Municipally as 304 to 326 Victoria Avenue North.
- Bill D-29 By-law to Amend By-law No. 85-200 Respecting Land Located at Municipal Nos. 252, 262 and 268 James Street South.

Respectfully submitted,

ALDERMAN JOHN SMITH, CHAIRMAN,  
PLANNING AND DEVELOPMENT  
COMMITTEE

Mrs. L. Dale, Acting Secretary,  
Planning and Development Committee

LD:tb

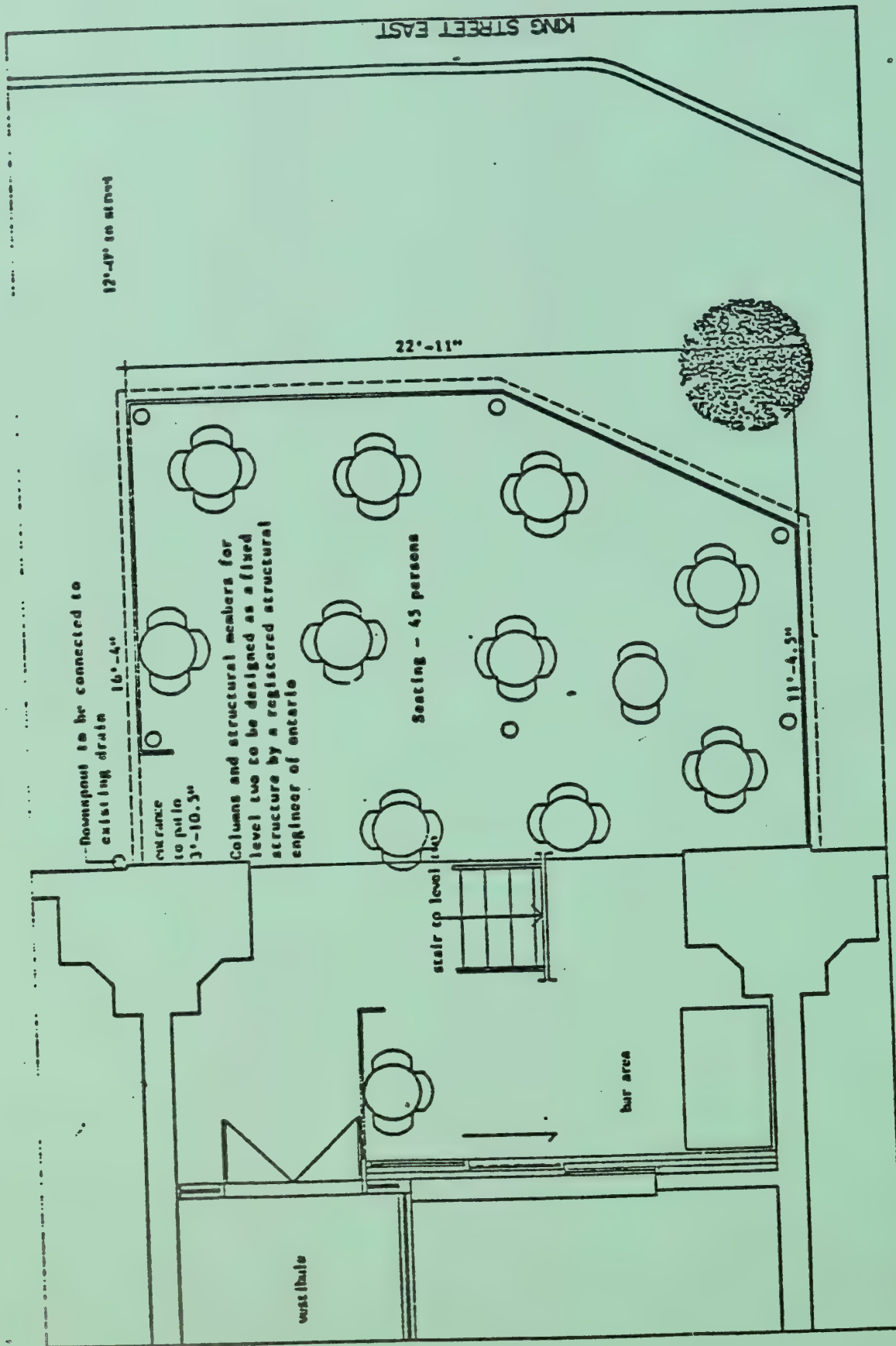


LEGEND:

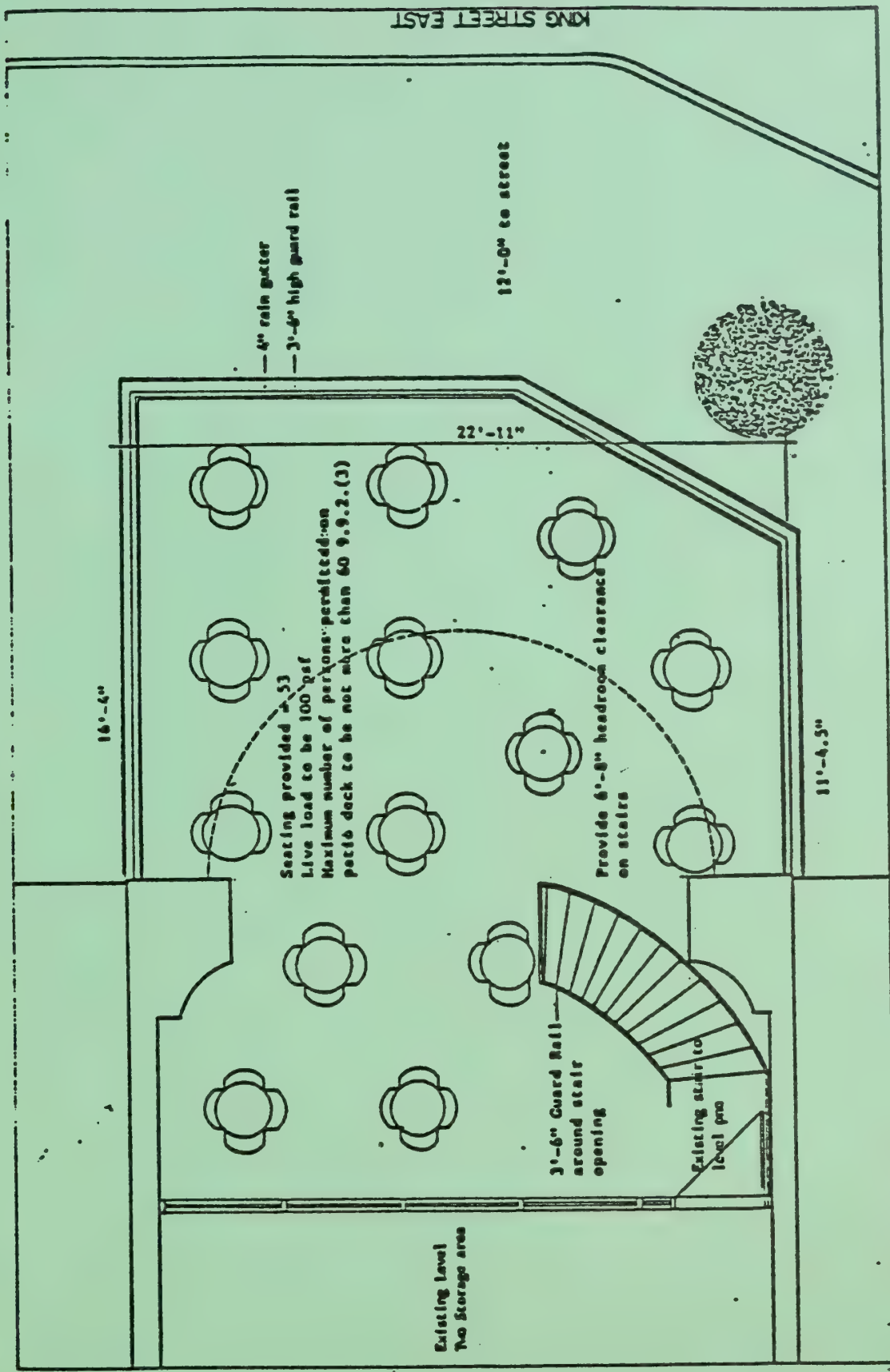
 SITE OF THE APPLICATION

Appendix "A" as referred to in  
Item 1a of the Sixth Report of  
Planning & Development Committee





# **GRAPES & THINGS RESTAURANT WINE BAR** 103 KING STREET EAST HAMILTON, ONTARIO 890808



Proposed Level No Patio

**GRAPES & THINGS RESTAURANT WINE BAR**  
 103 KING STREET EAST HAMILTON, ONTARIO  
 L8N 1K5









## REPORT OF THE LEGISLATION COMMITTEE

To the Corporation of the City of Hamilton.

Members of Council:

The Legislation Committee presents its Sixth Report for 1986 and respectfully recommends:

1. (a) That a budget of \$2,000. be approved for the 1986 Open House.  
(b) That the Finance Committee be requested to recommend the method of financing this expenditure.
2. That the City Solicitor be authorized and directed to amend By-law 85-148 respecting Control and Licencing of Dogs, to provide that dogs on a leash be allowed in public parks.
3. That the City Solicitor be authorized and directed to prepare the necessary By-law to Control and Regulate Flea Markets.
4. (a) That the Planning and Development Committee give consideration to amending Zoning By-law 6593 to provide a Site Specific Zoning Amendment for the Wear's Florist property, 1814 King Street East, to permit a "petting zoo" as an appropriate land use.  
(b) That subject to Council approval of a Site Specific Zoning Amendment, that the City Solicitor be authorized and directed to amend By-law 84-191, respecting to Keeping of Animals, to provide that the keeping of Class 1 (goats), Class 2 (domestic fowl, pigeons) and Class 3 (rabbits) are not prohibited.

NOTE: The amendment to By-law 84-191 will be applicable throughout the City, but will only be available on the particular site if that site is rezoned to permit a "petting zoo" as a permitted use.

5. That the request from the Hamilton Municipal Employee's Credit Union to place an Automated Teller Machine (A.T.M.) in the area adjacent to the walkway between the City Hall building and the Football Hall of Fame be approved.

NOTE: For the information of the members of City Council a concept drawing, specifications and a map showing the exact location, are available in the office of the Secretary, Legislation Committee.



6. That permission be granted to the Hamilton Harbour Commission Sailing School to place a display on the second floor lobby of City Hall from Monday, 1986 June 9 to Friday, 1986 June 13.
7. That permission be granted to the Salvation Army to use the City Hall forecourt to conduct Sunday evening services from Sunday, 1986 June 22 to Sunday, 1986 August 31 from 6:30 - 7:30 p.m.
8. That permission be granted to the Arts Task Force Assembly to use the Council Chambers on Wednesday, 1986 March 26 from 8:00 - 10:00 p.m., on the understanding that use of same will be supervised by a Sr. Manager of the Department of Culture and Recreation.
9. That Civic Awards be granted to the Ontario and Canadian Roller Skating Champions as per Appendix "A" appended hereto.

NOTE: The above number of awards are as follows: 6 Silver Pins, 3 Silver Rings, 13 Gold Pins, 13 Gold Rings

10. That approval be granted to establish and implement a twin City relationship with:
  - (a) City of Flint, Michigan, U.S.A.
  - (b) Racamulto, Sicily, Italy.
11. That the following resolution from the City of North York not be endorsed:

WHEREAS it appears that the Province of Ontario is expected to introduce new legislation in March 1986, namely Part II of the Provincial Offences Act;

AND WHEREAS the said Act is likely to contain a provision to eliminate the position of 'Special Constable';

AND WHEREAS 'Special Constables' are entitled to provide traffic control and issue parking tickets on private property such as fire routes, condominium property, and shopping centres;

AND WHEREAS they have been helpful in relieving the Police Department of parking controls on private property;

THEREFORE BE IT RESOLVED that the City of North York endorse the policy of continuation of the 'Special Constable' status and that the Provincial Government be so informed;

AND FURTHER, That the City of North York pass on this request to all municipalities in Ontario with a population greater than 25,000 citizens.

12. (a) Approval of the action of the Legislation Committee in authorizing the repair and upgrading of the Council Chamber Sound System at an estimated cost of \$3,000.
- (b) That the Finance Committee be requested to recommend the method of financing this expenditure.
13. Approval of the action of the Legislation Committee in granting permission to:
- (a) the Kidney Foundation to hang a banner from the balcony of City Hall from 1986 March 3-21.
- (b) The Easter Seal Campaign to hang a banner from the balcony of City Hall from 1986 March 1-31.
- (c) The Red Cross Society to fly their flag in front of City Hall from 1986 February 27 - March 31.
14. (a) For the information of the members of City Council the following citizens were appointed to the Status of Women Sub-Committee:

Mrs. Joan Balinon  
Ms. Barbara Chambers  
Ms. Doreen Johnson  
Ms. Loral L. King  
Mr. Brian C. Lewis  
Ms. Thelma McGillivray  
Ms. Mary McKenzie  
Ms. Mary Jo McLaren  
Ms. Judi Smith  
Ms. Cathy L. Vanderlip  
Ms. Anne Stewart  
Ms. Judy Worsley

- (b) For the information of the members of City Council the following citizens were appointed to the Hamilton Farmer's Market Sub-Committee:

Mr. Gregory Fraleigh  
Mr. Edward M. Hoecht

15. That leave be granted to introduce the following bill:

Bill No. E-6 - By-law to amend the Retail Gasoline Early Closing By-law No. 9396.

Respectfully Submitted,

ALDERMAN V. J. AGRO, CHAIRMAN  
LEGISLATION COMMITTEE

Mrs. L. Dale, Secretary  
Legislation Committee  
1986 March 3

<u>NAME</u>	<u>CATEGORY</u>	<u>AWARD</u>
1. Mike Adams	Ontario-Compulsory Dance - Senior	Gold Pin.
2. Dean Bint	Ontario & Canadian - Pairs - Sophomore Freeskate -Senior	Gold Pin Gold Ring
3. Blain Booth	Ontario & Canadian - Pairs - Elementary Ontario & Canadian - Figures - Juvenile	Silver Pin Silver Ring
4. Jimmy Booth	Ontario - Complusory Dance - Elementary	Silver Pin
5. Tracie Booth	Ontario & Canadian - Paris - Sophomore Canada - Feeskate - Sophomore	Gold Pin Gold Ring
6. Jeff Clermont	Ontario & Canadian - Solo - Men's B.	Gold Pin Gold Ring
7. Kyla Drever	Ontario - Figures Canadian - Freeskate & Figures Freshman	Gold Pin Gold Ring
8. Heather Gregg	Ontario - Figures - Novice A	Gold Pin
9. Brenda Hammond	Canadian -Figures - Senior	Gold Ring
10. Bradley Hutchinson	Ontario & Canadian - Compulsory Dance - Freshman Ontario & Canadian - Figures - Novice A	Gold Pin Gold Ring
11. Sara Keaney	Canadian - Figures - Novice A	Gold Ring
12. Dawn Kennedy	Ontario & Canadian - Compulsory Dance - Freshman	Gold Pin Gold Ring
13. Jacqueline Kennedy	Ontario & Canadian - Freeskate Figures & Pairs - Primary	Silver Pin Silver Ring
14. Tara Nagy	Ontario & Canadian - Compulsory Dance Sophomore	Gold Pin Gold Ring
15. Heather Paterson	Ontario & Canadian - Figures - Novice B	Gold Pin Gold Ring
16. Wendy Prosser	Ontario - Senior - Figures Ontario & Canadian - Freeskate - Senior	Gold Pin Gold Ring
17. Tanya Risidore	Ontario - Compulsory Dance - Elementary	Silver Pin

18.	Matthew Schaefer	Ontario & Canadian - Freeskate & Figures - Primary	Silver Pin Silver Ring
19.	Sara Somerville	Ontario - Freeskate - Tiny Tots	Silver Pin
20.	Lloyd Winger	Ontario & Canadian - Freeskate - Junior	Gold Pin Gold Ring
21.	Ron Woods	Ontario & Canadian - Compulsory Dance - Sophomore	Gold Pin Gold Ring









## REPORT OF THE FINANCE COMMITTEE

To the Council of the Corporation of the City of Hamilton.

Members of Council:

The Finance Committee presents its SEVENTH Report for 1986 and respectfully recommends:

1. (a) (i) That a 1986 Fixed Grant to the Around-the-Bay Road Race Committee, in the amount of \$1 500 to defray the costs of the race being held March 23, 1986, be approved and;
- (ii) That the approved Grant amount be provided within grant Account No. 0374-02XX.

NOTE: The Around-the-Bay Road Race is being held March 23, 1986. The applicant requested \$1 500 to defray the costs associated with the race. The applicant received a 1985 approved Fixed Grant of \$1 500.

- (b) (i) That a one-time grant of \$7 000 to Hamilton-Wentworth Creative Arts (H.W.C.A.) for the purpose of organizing the Canadian Association of Festivals and Events National Conference in Hamilton in May 1986, be approved.

NOTE: Depending upon the success of this event H.W.C.A. suggested that this grant may be repaid in full or in part. In the event of a surplus from this conference, the surplus funds would be split evenly between the City and H.W.C.A. A separate accounting will be done by H.W.C.A. on this event and financial information, satisfactory to the City Treasurer, will be submitted by H.W.C.A. within 60 days of the event. It was understood that Alderman Gallagher would be appointed to sit on the H.W.C.A. Board.

- (ii) That a one-time grant of \$750 to assist the soccer team from Cardinal Newman High School who have been invited to compete in the Italo - Canadian Friendship Tournament being held in Rome, Pisa and Florence from March 7 to March 16, be approved.
- (iii) That an operating (sunset) grant of \$5 000 to the Hamilton Ladies Slo-Pitch Association to assist them in hosting an Ontario Invitational Slo-Pitch Tournament in Hamilton in August, 1986, be approved, and that an advance of \$1 000 of this amount be approved for payment at this time to help defray some preliminary expenditures.



- (iv) That an operating (sunset) grant of \$500 to the Hamilton Poetry Centre to assist in mounting a major festival of contemporary Canadian poetry in March 1986, be approved.
  - (v) That the total of \$13 250 approved be charged to the applicable category under Grants expenditure Account No. 0374-XXXX.
2. (a) That the City of Hamilton renew the lease with the Hamilton Press Club for a period of five years commencing March 16th, 1986 and terminating on March 15, 1991.
- (b) That the Mayor and City Clerk be authorized to execute a lease document satisfactory to the City Solicitor.

NOTE: The Consumer Price Index clause will be removed and replaced with the following fixed rates for the next five year term. The following rental rates are inclusive of taxes with the realty taxes for 1985 being \$3 411.45.

1986

Rent payment will be adjusted and commence on the first day of April 1986 at a rental of \$527.25 per month or \$6 327 per year.

1987

Rent payment will be adjusted and commence on the first day of April 1987 at a rental of \$556.54 per month or \$6 678.48 per year.

1988-1990

Rent payments will be adjusted and commence on the first day of April 1988 at a rental of \$615.12 per month or \$7 381.44 per year.

In addition to rent paid by the Hamilton Press Club, it is responsible for their proportionate share of the operating costs in every given year, plus 5% of all gross bar sales.

All amounts payable shall be deemed to be additional rent.

3. (a) That the City of Hamilton lease 5 032.75 square feet on the first floor of 74 Hughson Street South to the Canadian Mental Health Association for a period of approximately two and one-half years commencing July 1st 1986 and terminating November 30th, 1988; and
- (b) That the Mayor and City Clerk execute a lease document satisfactory to the City Solicitor.

NOTE: The Rent schedule for the aforementioned space is calculated as follows:

5 032.75 sq. ft. @9.50 per sq. ft. per annum ....\$47 811.12  
to be paid in advance in equal monthly instalments of  
\$3 984.26 on the first day of each month commencing July  
1st 1986. The aforementioned rent includes taxes which  
amounted to \$8 253.71 for 1985.

In addition to rent paid by the Canadian Mental Health Association, it is responsible for their proportionate share of the increase in operating costs and realty taxes over the Base Year of 1985.

Included in the rent paid are the availability of ten parking spaces.

The Canadian Mental Health Association will also cost share with the Regional Health Department for the parking lot snow removal as well as the costs incurred to provide the building's security system.

The Canadian Mental Health Association will at its own cost, carry out all renovations to the area being leased subject to the satisfaction of the City Architect and the City Property Maintenance Superintendent.

4. That the firm of Greenaway Security Services Limited be employed to provide "firewatch" personnel, for security purposes during the demolition of 334 Wellington Street North.

NOTE: Security to be provided during the hours while demolition work is not in progress.

The rate for the above mentioned service will be \$5.75 per hour and based on the estimated days required to complete the demolition work, the cost for this service will be approximately \$12 765.

5. That Council approve the Departmental Overdrafts as appended hereto.

NOTE: Section 35 of the Finance Committee, adopted by City Council 1985, indicated that a list of overdrafts, contingency transfers etc. be provided to and approved by City Council.

6. That the user fee for the purchase of a bus pass for senior citizens (Age 70 and over) be increased from \$1.67 to 2.08 per month (\$20.00 to \$25.00 annually) effective for the renewal of passes April 1, 1986.
7. That all revenue, exclusive of taxes, generated through the lease of space by the City to the Hamilton Municipal Employees' Credit Union Ltd. for the basement level of the Canadian Football Hall of Fame and Museum Building, be directed to the Canadian Football Hall of Fame and Museum for their sole and exclusive use, upon renewal of the lease effective November 1, 1986.
8. That the \$2 000 estimate to hold the City Hall's fourth annual Open House in 1986 be added to the 1986 estimates of the Legislative budgets.

NOTE: Reference is made to this item in Section 1 of the Sixth Report of the Legislation Committee.

9. That the estimated amount of \$3 000 for repairs and upgrading of the Council Chamber Sound System be financed from Capital Budget Account No. 0408-A5513.

NOTE: Reference is made to this item in Section 12 of the Sixth Report of the Legislation Committee.

Respectfully Submitted

Alderman P. O. Valeriano,  
Chairman, Finance Committee

R. C. Prowse  
Secretary  
1986 March 4, 1986

LIST OF REQUESTS FOR TRANSFERS AND OVERDRAFT APPROVALS WITHIN THE 1985 CURRENT BUDGET

<u>Department</u> (1)	<u>Account Number</u> (2)	<u>Description</u> (3)	<u>Appropriation</u> (4)	<u>Overdraft Amount</u> (5)	<u>Departmental (Deficit) Position (if any)</u> (6)	<u>Remarks</u> (7)
<u>Legislative</u>	0321-0321 0321-0401	Office Supplies Salaries and Wages	4,320.00 110,160.00	1,487.09 6,524.47	(6,738.54)	-- Additional overtime and overtime rate increase for drivers.
<u>Clerks</u>	0322-0116 0322-0121 0322-0162	Postage Office Supplies and Stationery Printing - Zoning Maps	32,200.00 23,900.00 6,000.00	1,381.61 2,016.36 2,529.71		
<u>Treasury</u>	0323-0521 0323-1319 0323-1574	Office Supplies and Stationery Contractual Services Office Furnishings	10,470.00 39,750.00 --	7,225.48 1,436.00 3,833.18	(11,727.96)	-- Increase in number of summons. -- Micro Computer furnishings.
<u>Personnel</u>	0327-0154 0327-02XX	Labour Relations Industrial Nurse	8,000.00 --	20,252.72 8,339.67		-- Labour and legal service. -- Employee employed for 3 months not 8 - 5 months of grant returned to Province.
<u>Property Maintenance</u>	0328-0231	Boiler Room Maintenance	32,860.00	2,034.37		
<u>Planning</u>	0331-0119	Contractual Services	1,287,000.00	1,659.00	(1,659.00)	
<u>Fire</u>	0341-0481	Rental - Car Pool	28,500.00	1,062.78		



City of Hamilton  
Treasury

Schedule B  
Page 2

LIST OF REQUESTS FOR TRANSFERS AND OVERDRAFT APPROVALS WITHIN THE 1985 CURRENT BUDGET

<u>Department</u> (1)	<u>Account</u> <u>Number</u> (2)	<u>Description</u> (3)	<u>Appropriation</u> (4)	<u>Overdraft</u> <u>Amount</u> (5)	<u>Departmental</u> <u>(Deficit)</u> <u>Position (if any)</u> (6)	<u>Remarks</u> (7)
<u>Traffic - City</u>						
	0345-0121	Office Supplies and Stationery	6,150.00	1,189.47		-- Needed supplies for drafting section.
	0345-0183	Rental - Office Equipment	3,700.00	1,939.49		-- Photocopy expenses.
		Non Subsidized Operations	372,240.00	33,710.59		-- Unanticipated material costs and inventory expense.
		Meter Maintenance	93,590.00	2,145.93		-- Vandalism repairs.
		Traffic Study	149,970.00	8,887.39		-- Special traffic studies requested.
<u>C.U.P.</u>					(20,790.05)	
	0360-0114	Light and Power	1,142,730.00	126,502.44		-- Hydro charges
<u>Parks</u>						
	0364-XXXX	Park Maintenance	2,787,000.00	74,591.21		-- Additional maintenance costs due to the extended length of season - Financed from savings in other functions.
<u>Culture and Recreation</u>						
	0367-0116	Postage	3,100.00	1,061.87		-- Additional costs re
	0367-6523	Operating Supplies	1,350.00	1,761.44		recreation master plan.





REPORT OF THE CITY OF HAMILTON LICENSING COMMITTEE

To the Council of the Corporation of the City of Hamilton

Members of Council:

The City of Hamilton Licensing Committee presents its FIRST Report for 1986 and respectfully recommends:

That City of Hamilton Cab Driver's Licence No. 3586 held by Barry Garvin be revoked.

For the information of Members of City Council:

On Thursday, February 6, 1986, the City of Hamilton Licensing Committee held a show cause hearing into the status of City of Hamilton Cab Driver's Licence No. 3586. Mr. Garvin appeared before the Committee representing himself although he was advised that he could attend with legal counsel.

Information was given by the Chief Licence Inspector as to the licensee's failure to disclose his criminal record on his initial application for his cab driver's licence and on January 23, 1986 a peace bond based on facts regarding an assault.

Respectfully submitted,

ALDERMAN P. VALERIANO  
CHAIRMAN

S. J. Dembe, Secretary  
February 25, 1986





The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Procedural By-law No. 82-203

Respecting:

1. APPOINTMENT OF ACTING MAYOR.
2. VOTE OF MEMBERS OF COUNCIL TO CONSIDER NEW BUSINESS.
3. ADDITIONAL DUTIES OF THE EXECUTIVE COMMITTEE.

WHEREAS By-law No. 82-203, passed on the 28th day of September, 1982, provides for the appointment of an Acting Mayor, the regulation of proceedings at City Council, the establishment of Committees of Council and Access to Information and Meetings;

AND WHEREAS it is intended to amend the said by-law respecting the appointment of an Acting Mayor, voting of members of City Council to consider new business and to provide for additional duties of the Executive Committee.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Section 1 of By-law No. 82-203 is repealed and the following substituted therefor:

1. (1) The Council shall appoint an Alderman as Acting Mayor to act in place and stead of the Mayor when the Mayor is absent from the City of Hamilton or the Mayor is absent through illness.

- (2) The Alderman appointed as Acting Mayor shall be appointed at the last regular monthly meeting of Council and shall hold office for the next succeeding month.

- (3) Where the Alderman appointed as Acting Mayor is unable to act because he is absent from the City of Hamilton or is absent through illness, and unless the Council otherwise appoints, the Alderman present who last served as Acting Mayor shall act as Mayor for the month or part thereof in place and stead of the absent Alderman.

- (4) No Alderman shall act as Mayor unless the Alderman shall have served on Council for at least seven months.

- (5) An Alderman acting as Mayor under this section shall exercise all the rights and powers and authority of the head of Council.

2. Section 6 of the said by-law is repealed and the following substituted therefor:

6. (1) The Mayor shall be Chairperson of the Council and of the Committee of the Whole.

(2) Where the Mayor is not in attendance at a meeting of Council, the Acting Mayor shall be Chairperson of the Council and of the Committee of the Whole and shall preside until the arrival of the Mayor.

3. Section 8 of the said by-law is amended by striking out "majority" in the third line and inserting in lieu thereof "two-thirds".

4. Section 36a of the said by-law, as enacted by section 3 of By-law No. 85-18, is repealed and the following substituted therefor below the heading "STANDING COMMITTEES OF COUNCIL".

#### EXECUTIVE COMMITTEE

37. (1) The duties of the Executive Committee shall be as follows:

##### (a) FINANCE:

1. Report and/or recommend to City Council on all aspects relating to the Capital Budget Programme.
2. Monitor, report monthly and recommend to City Council on all capital projects and aspects thereof;

##### (b) PERSONNEL:

1. To report and/or recommend to City Council on all matters relating to Department Heads, Acting Department Heads, Deputies, Assistants to Department Heads;

##### (c) COMMITTEE REPORTS:

1. To review all Committee reports before their presentation to City Council.

2. To add recommendations to Committee reports as it deems necessary for consideration by City Council prior to consideration by Council of the original Committee recommendation;

(d) **MUNICIPAL CO-ORDINATION:**

1. Co-ordinate the actions and policies recommended to City Council by Committees.
2. Monitor and report monthly to City Council on matters referred to the Committee by Council;

(e) **BOARDS AND COMMISSIONS:**

1. Report and/or recommend to City Council on all matters pertaining to independent city boards and commissions.
2. To act as the City's liaison with all independent boards to which the City makes appointments;

(f) **CITY DEPARTMENTS:**

1. Report and/or recommend to City Council on all matters relating to departmental reorganization;

(g) **GENERAL:**

1. Deal with all matters not delegated to other Committees.

(2) **For the purpose of this section,**

- (a) **"city board"** includes The Hamilton Public Library Board, The Hamilton Parking Authority, The Hamilton Entertainment and Convention Facilities, Inc.;
- (b) **"independent board"** includes The Canadian Football Hall of Fame Committee, the Museum Management Committee, The Hamilton Society for the Prevention of Cruelty to Animals.



5. Section 37 of the said by-law is renumbered "37a".

6. (1) Paragraph 1 of section 39 of the said by-law is repealed and the following substituted therefor:

1. To report and/or recommend to City Council on the financial requirements of the Board of Education and The Regional Municipality of Hamilton-Wentworth.

(2) Paragraph 3 of section 39 of the said by-law is repealed.

7. (1) Clause (g) of paragraph 2 of section 42 of the said by-law is repealed and the following substituted therefor:

- (g) the appointment, suspension, dismissal, termination, resignation and retirement of employees upon the recommendation of the Department Head.

(2) Section 42 of the said by-law is renumbered as "42(1)".

(3) Section 42 of the said by-law is amended by adding thereto the following subsection:

- (2) Subsection 1 shall not apply to Department Heads, Acting Department Heads, Deputies, Assistants to Department Heads.

8. (1) Paragraph 11 of section 3 of By-law No. 84-263 is amended by striking out "appropriate committees of city council" and inserting in lieu thereof "Executive Committee".

(2) Paragraph 13 of section 3 of the said by-law is amended by adding at the end thereof "except Department Heads, Acting Department Heads, Deputies, Assistants to Department Heads".

(3) Paragraph 15 of section 3 of the said by-law is amended by striking out "Personnel Committee" in the first and second lines and inserting in lieu thereof "Executive Committee".

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

Resolutions:

March 29, 1983 & July 26, 1983  
(1986) 6 R.E.C. 5, February 25

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 22 (Hamilton Street Railway Bus Routes) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by adding to the Fennell Table the following words, namely:-

"west on Grenfell to Benson, north on Benson to Beach, west on Beach to turnaround area".

2. Schedule 26 (No Parking Areas) is hereby amended by adding to Section A (No Parking Anytime) the following item, namely:-

"Benson West Grenfell to Beach".

3. Schedule 27A (Alternate Side Parking) is hereby amended by deleting therefrom the following item, namely:-

"Benson Avenue East West".  
McAnulty Boulevard to Beach Road

and by adding thereto the following item, namely:-

"Benson East West".  
McAnulty to Grenfell

4. Schedule 34 (Sticker Permit Parking) is hereby amended by adding thereto the following item, namely:-

"Woodbine West commencing at a point 215 feet Anytime".  
north of Jones to a point 20  
feet northerly therefrom

PASSED this day of , A.D. 1986.

City Clerk

Mayor

1986 7 R.T.E.C. 18, March 11

By-Law No. 86 -

To Amend By-Law No. 66-100 To Regulate Traffic

The Council of the Corporation of the City of Hamilton enacts as follows:

Traffic

1. Schedule 10 (Stops at Intersections) of By-law 66-100 To Regulate Traffic passed on the 29th day of March 1966 is hereby amended by deleting therefrom the following item, namely:-

"Province	Northbound and Southbound	Britannia".
-----------	---------------------------	-------------

and by adding thereto the following items, namely:-

"East 18th Britannia	Northbound and Southbound Westbound	Inverness Province".
-------------------------	----------------------------------------	-------------------------

2. Schedule 29 (No Stopping Areas) is hereby amended by adding to Section A (No Stopping Anytime) the following items, namely:-

"Poulette	East	Jackson to 50 feet north
Poulette	East	Jackson to 50 feet south
Benson	East	Grenfell to 55 feet north".

3. Schedule 37 (Snow Routes) is hereby amended by adding thereto the following item, namely:-

"Benson	Grenfell	Beach".
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PASSED this                      day of                      , A.D. 1986.

City Clerk

Mayor

1986 7 R.T.E.C. 18, March 11

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 6593

Respecting:

LAND LOCATED AT MUNICIPAL NO. 296 BRUCEDALE AVENUE EAST

WHEREAS it is intended to establish a special requirement under section 19B of By-law No. 6593, passed on the 25th day of July, 1950 and approved by the Ontario Municipal Board by Order dated the 7th day of December, 1951, (File No. P.F.C. 3821);

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. The "G" (Neighbourhood Shopping Centre, etc.) district provisions applicable to the land, the extent and boundaries of which are shown on a plan hereto annexed as schedule "A", are amended to the extent only of the special requirement that,

(a) notwithstanding subsection 13 (1) of By-law No. 6593, the following,

(i) COMMERCIAL USE shall not be prohibited:

1. A printing shop within the building existing on the day of the passing of this by-law.

2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "G" District provisions subject to the special requirement referred to in section 1.

3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-945".

4. Sheet No. E-16 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-945".



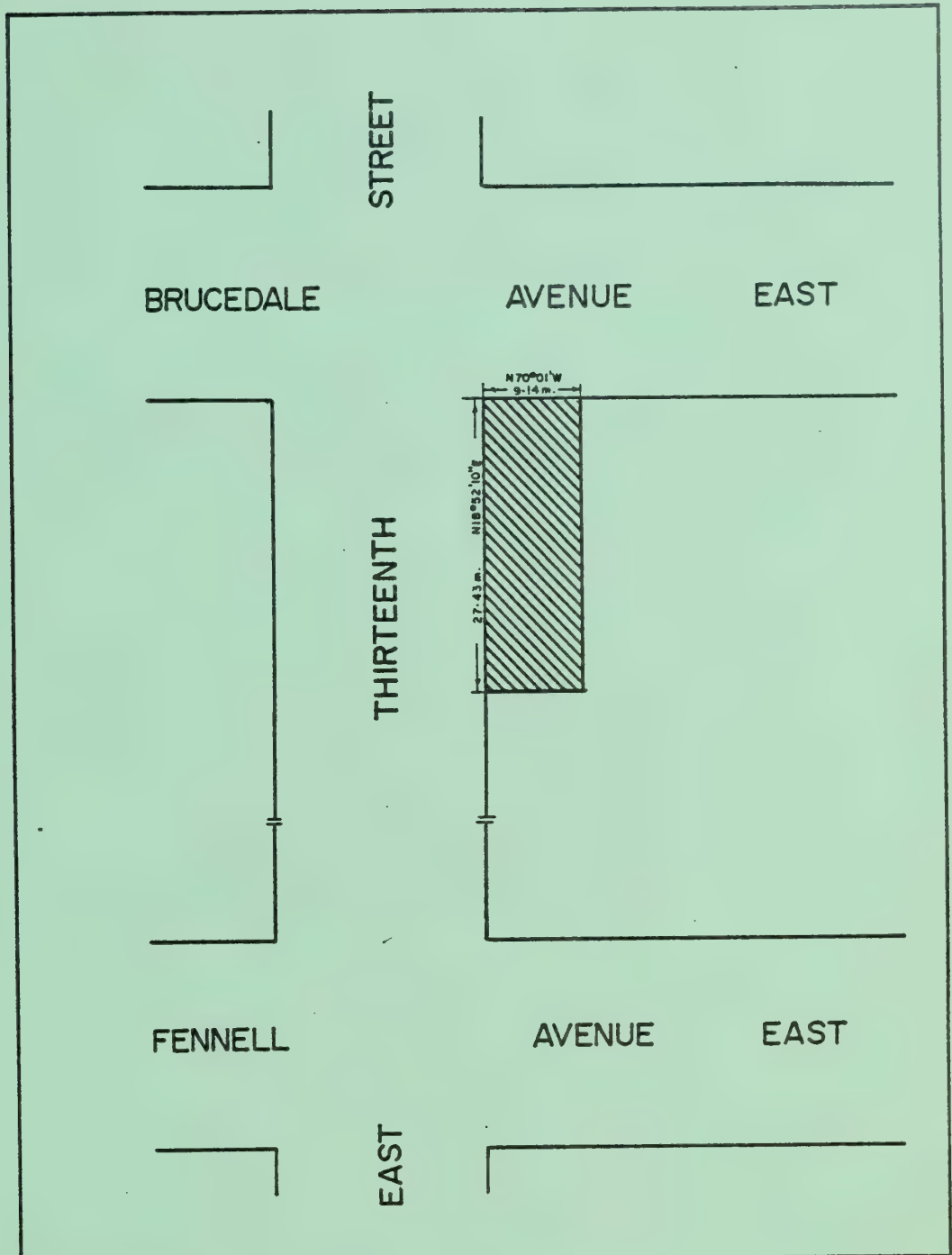
5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 3 R.P.D.C. 1, January 28  
Dan and Sandra Macdonald, Owners  
ZA-85-88



THIS IS SCHEDULE "A" TO BY-LAW NO.86-  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

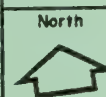
CITY OF HAMILTON  
SCHEDULE "A"  
MAP FORMING PART OF  
BY - LAW NO.86-  
TO AMEND BY-LAW NO.6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

#### Legend



LANDS TO BE REGULATED BY BY-LAW  
NO. 86-



North

Scale  
1 : 500

Reference File No.  
ZA85-88

Date  
86-01-27

Drawing No.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

A Board of Management

For:

THE WESTDALE BUSINESS IMPROVEMENT AREA  
DESIGNATED BY BY-LAW NO. 86-30

WHEREAS By-law No. 86-30, passed on the 10th day of December, 1985, designated as an improvement area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an improvement area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as it provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the improvement area designated by By-law No. 86-30 is hereby established.
2. The Board of Management shall be composed of,
  - (a) members of council who are the Ward Aldermen in which the improvement area is located and whose names are set out in Schedule "A" hereto annexed;  
and

- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed and whose names are set out in Schedule "B" hereto annexed.

2. (1) The Board of Management is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the improvement area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

3. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

PASSED this

day of

A.D. 1986.

City Clerk

Mayor

(1985) 4 R.P.D.C. 14, February 11



SCHEDULE "A"

To By-law No. 86-

1. Alderman Terry Cooke.
2. Alderman Mary Kiss.

SCHEDULE "B"

To By-law No. 86-

John Pocsai	-	Tulips Cafe
Ray Fazakas	-	Lawyer
Shelagh Snider	-	The Picture Frame
Mark Crump	-	Bremat Construction
Martha Cain	-	Maryan Gifts
Shirley Delman	-	Village Bagel
Reg Lahie	-	Jack Carruth Shoes
Gene Ditner	-	The Cottage Florist
C. C. West	-	National Trust
G. M. Ujiye	-	Big "V"

SCHEDULE "C"

To

By-law No.

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, Section 217

- Term of Office** (7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).
- Vacancy** (8) Where a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (6) to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.
- Idem** (9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.
- Estimates** (10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisition upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.
- Expenditure of moneys** (11) The Board of Management shall not expend any moneys not included in the estimates approved by the council or in a reserve fund established under section 165.
- Borrowing prohibited restrictions on incurring indebtedness** (12) The Board of Management shall not borrow money and, without the prior approval of the council, it may not incur any indebtedness extending beyond the current year.
- Assent of electors, etc.** (13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.
- R.S.O. 1980, c. 347**
- Annual Report** (14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.
- Auditor** (15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.
- Dissolution of Board** (16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Establish:

A Board of Management

For:

THE OTTAWA STREET NORTH BUSINESS IMPROVEMENT AREA  
DESIGNATED BY BY-LAW NO. 86-31

WHEREAS By-law No. 86-31, passed on the 10th day of December, 1985, designated as an improvement area the area aforesaid and more particularly described in Schedule "A" and shown on Schedule "B" to the said by-law;

AND WHEREAS subsection 1 of section 217 of The Municipal Act, R.S.O. 1980, Chapter 302 provides that where an improvement area is designated, the council,

(1) ...may by by-law establish for any such area so designated a Board of Management to which may be entrusted, subject to such limitations as the by-law may provide, the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the area, beyond such improvement, beautification and maintenance as it provided at the expense of the municipality at large, and the promotion of the area as a business or shopping area;

AND WHEREAS subsection 6 of the said section provides that,

(6) A Board of Management established under subsection (1) is a body corporate and shall consist of such number of members appointed by council as the council considers advisable, at least one of whom shall be a member of the council and the remaining members shall be individuals assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. A Board of Management for the improvement area designated by By-law No. 86-31 is hereby established.
2. The Board of Management shall be composed of,
  - (a) members of council who are the Ward Aldermen in which the improvement area is located and whose names are set out in Schedule "A" hereto annexed;  
and

- (b) individuals who are assessed for business assessment in respect of land in the area or nominees of such individuals or of corporations so assessed and whose names are set out in Schedule "B" hereto annexed.

2. (1) The Board of Management is hereby entrusted, subject to the limitations set out in subsection (2), with,

- (a) the improvement, beautification and maintenance of municipally owned lands, buildings and structures in the improvement area, beyond such improvement, beautification and maintenance as is provided at the expense of The Corporation of the City of Hamilton at large; and
- (b) the promotion of the improvement area as a business or shopping area.

(2) Any proposal to construct, repair, rehabilitate or otherwise improve municipally owned land and/or buildings within the said area shall be subject to the prior approval of the Director, Department of Community Development.

3. Annexed hereto and marked Schedule "C" are the provisions of The Municipal Act relating to the Board of Management.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 4 R.P.D.C. 15, February 11



SCHEDULE "A"

To By-law No. 86-

1. Alderman Pat Valeriano.
2. Alderman Geraldine Copps.
3. Alderman Brian Hinkley.
4. Alderman David Christopherson.

SCHEDULE "B"

To By-law No. 86-

Ted Culshaw	-	A & B Catering
Saul Eisenberg	-	Liberty House Furniture
Lee Higgins	-	Hamilton Appliance Centre
Edith Desmarais	-	Fred Gregory Florists
Mike Cole	-	Tri-Colour Photo
Tom Easterbrook	-	Kent's Hardware
Don Ferrel	-	Giant Tiger
John Gut	-	Textile Bargain Centre
Steve Konstantinidis	-	Nadel's Furs
Trent Richer	-	Images by J. J. Richer
Chuck Weber	-	Montreal Textile
Gerald Carrey	-	Howard's Flower Shoppe

SCHEDULE "C"

To

By-law No.

(Section 3)

The Municipal Act, R.S.O. 1980, Chapter 302, Section 217

**Term of Office**

(7) Each member shall hold office from the time of his appointment until the expiration of the term of the council that appointed him, provided he continues to be qualified, as provided by subsection (6).

**Vacancy**

(8) Where a vacancy occurs from any cause, the council shall appoint a person qualified as set out in subsection (6) to be a member, who shall hold office for the remainder of the term for which his predecessor was appointed.

**Idem**

(9) The members shall hold office until their successors are appointed and are eligible for reappointment on the expiration of their term of office.

**Estimates**

(10) A Board of Management established under subsection (1) shall submit to the council its estimates for the current year at the time and in the form prescribed by council and may make requisition upon the council for all sums of money required to carry out its powers and duties, but nothing herein divests the council of its authority with reference to rejecting such estimates in whole or in part or providing the money for the purposes of the Board of Management and when money is so provided by the council the treasurer shall, upon the certificate of the Board of Management, pay out such money to the Board of Management.

**Expenditure  
of moneys**

(11) The Board of Management shall not expend any moneys not included in the estimates approved by the council or in a reserve fund established under section 165.

**Borrowing pro-  
hibited restric-  
tions on incur-  
ring indebtedness**

(12) The Board of Management shall not borrow money and, without the prior approval of the council, it may not incur any indebtedness extending beyond the current year.

**Assent of electors,  
etc.  
R.S.O. 1980,  
c. 347**

(13) Section 149 of this Act and sections 64 and 65 of the Ontario Municipal Board Act apply to the giving of an approval of indebtedness by a council under subsection (12) as though the giving of the approval were the incurring of the indebtedness by the municipality.

**Annual Report**

(14) On or before the 1st day of March in each year, a Board of Management shall submit its annual report for the preceding year to council, including a complete audited and certified financial statement of its affairs, with balance sheet and revenue and expenditure statement.

**Auditor**

(15) The municipal auditor shall be the auditor of each such Board of Management and all books, documents, transactions, minutes and accounts of a Board of Management shall at all times, be open to his inspection.

**Dissolution  
of Board**

(16) Upon the repeal of a by-law establishing a Board of Management, the Board ceases to exist and its undertakings, assets and liabilities shall be assumed by the municipality.

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Designate:

AS A HERITAGE CONSERVATION DISTRICT THE AREA COMPRISED OF  
ST. CLAIR AVENUE BETWEEN MAIN STREET EAST AND DELAWARE AVENUE

WHEREAS subsections 41(1) and 41(3) of The Ontario  
Heritage Act, R.S.O. 1980, Chapter 337 provide as follows:

41. (1) Subject to subsection (2), where  
there is in effect in a municipality an official  
plan that contains provisions relating  
to the establishment of heritage conservation  
districts, the council of the municipality  
may by by-law designate the municipality or  
any defined area or areas thereof as a heritage  
conservation district.

(2) A by-law passed under subsection  
(1) does not come into force without the approval  
of the Board.

AND WHEREAS By-law No. 85-199, passed on the 24th  
day of September, 1985, defined the area shown on Schedule  
"A" thereto as a Heritage Conservation District to be examined  
for future designation;

AND WHEREAS such examination has been completed;

AND WHEREAS the Official Plan of the City of  
Hamilton contains provisions relating to the establishment  
of heritage conservation districts;

AND WHEREAS it is intended to designate the area  
defined by the said by-law.

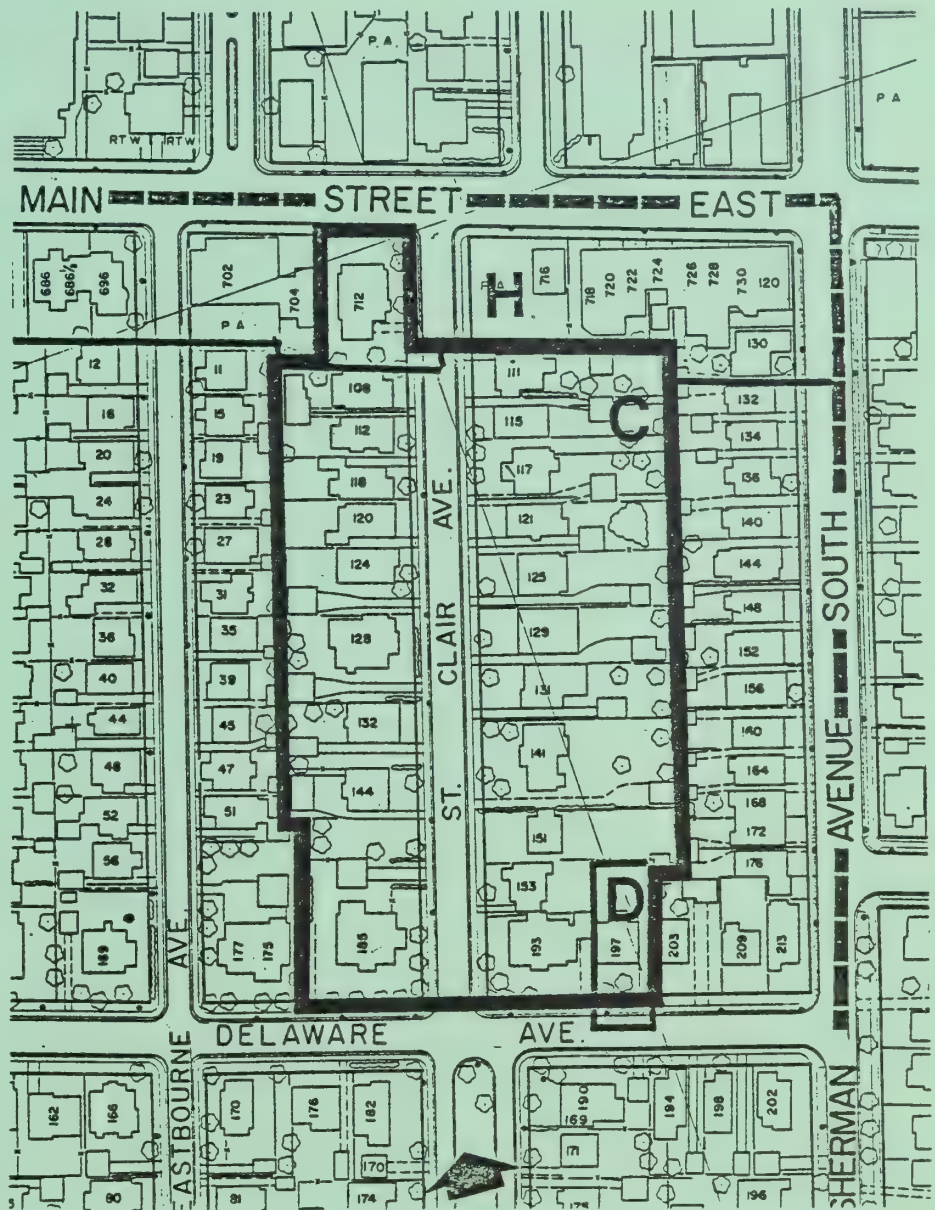
NOW THEREFORE the Council of The Corporation of  
the City of Hamilton enacts as follows:

1. The area shown on Schedule "A" hereto annexed  
and forming part of this by-law, and comprised in the  
area defined by By-law No. 85-199, is hereby designated  
as a Heritage Conservation District.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor



THIS IS SCHEDULE "A" TO BY-LAW NO. 86  
PASSED THE \_\_\_\_\_ DAY OF \_\_\_\_\_

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Mayor

# CITY OF HAMILTON

## SCHEDULE "A"

MAP FORMING PART OF  
BY-LAW NO.

TO AMEND BY-LAW NO. 6593

Regional Municipality of Hamilton-Wentworth  
Planning and Development Department

## Legend



LANDS SUBJECT TO BY-LAW NO. 86

North



Scale  
N.T.S.

Date  
FEBRUARY 1986

Reference File No.  
P5-8-4-5

Drawing No.  
86 - H - 29



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

Zoning By-law No. 84-152

Respecting:

LAND LOCATED ON THE WEST SIDE OF GRAYS ROAD,  
IN THE AREA NORTH OF THE QUEEN ELIZABETH WAY

WHEREAS By-law No. 84-152, passed on the 26th day of June, 1984, rezoned the above referred to land from "AA" (Agricultural) district to "B-1" (Suburban Agriculture and Residential, etc.) district as to Block 1 shown on Schedule "A" thereto, and to "C" (Urban Protected Residential, etc.) district as to Block 2 shown on the said Schedule "A", and also establish special requirements;

AND WHEREAS clause 2(a) of the said by-law is a special requirement that provides,

"as to the land comprised in Block 1, except for erosion control or shoreline protection structures, no building or structure shall be situated less than 15 m. from the northerly property line adjacent to the Lake Ontario shoreline;"

AND WHEREAS it is intended to amend the said clause as set out below.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clause 2(a) of By-law No. 84-152 is amended by striking out "the northerly property line adjacent to the Lake Ontario shoreline" in the 5th, 6th and 7th lines and inserting in lieu thereof "the existing concrete breakwall which is located at a bearing of N. 88° 35' 20" E.;"
2. By-law No. 6593 is amended by adding this by-law to section 19B as "S-872a".
3. Sheet No. E-121 of the District Maps is amended by marking the lands referred to in section 1 of By-law No. 84-152, "S-872a".
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 35

Respecting:

LANDS LOCATED ON THE WEST SIDE OF UPPER GAGE AVENUE,  
NORTH OF LIMERIDGE ROAD EAST IN LAWFIELD NEIGHBOURHOOD

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 35 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.

2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

AMENDMENT NO. 35 TO THE  
CITY OF HAMILTON OFFICIAL PLAN

The following text, together with the attached Schedule "A" hereto, constitute Amendment No. 35.

PURPOSE

The purpose of this Amendment is to delete a "Residential" designation and substitute it with a "Commercial" designation for those lands shown on the attached Schedule 'A'.

LOCATION

The subject lands are located on the west side of Upper Gage Avenue north of Limeridge Road East in Lawfield Neighbourhood.

BASIS

This Amendment can be supported on the basis that the proposed development on the subject lands will be:

- serviced by an arterial road on which most of the traffic generated by the proposal will travel;
- centrally located between Berrisfield and Lawfield Neighbourhoods and be part of an overall commercial area; and,
- integrated with the existing plaza to the north with adequate provisions for co-ordinated parking and access.

ACTUAL CHANGE

Schedule 'A' of the Official Plan - Land Use Concept, be amended by redesignating the subject lands from "Residential" to "Commercial", as shown in red on the attached Schedule 'A' to this Amendment.

IMPLEMENTATION

A Zoning By-Law Amendment will give effect to the intended use on the subject lands.

This is Schedule 1 to By-law No. 86- , passed on the  
A.D. 1986.

THE CORPORATION OF THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor



# schedule A amendment no. 35

to the  
official plan  
for the  
city of hamilton

## legend

From "Residential" to  
"Commercial"

date  
February 1985

drawn by  
G.K.

reference file no.  
6-2-35

## land use concept

## legend

- residential
- commercial
- industrial
- open space
- open water
- major institutional
- utilities
- central, sub-regional
- special policy area
- amendment basin
- per numbers
- sub-regional centre

schedule A  
to the official plan  
for  
the city of hamilton

Map 11.01



J23



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Adopt:

Official Plan Amendment No. 36

Respecting:

LANDS LOCATED ON THE EAST SIDE OF VICTORIA AVENUE NORTH,  
NORTH OF BARTON STREET EAST IN THE LANDSDALE NEIGHBOURHOOD,  
AND KNOWN MUNICIPALLY AS 304 to 326 VICTORIA AVENUE NORTH

The Council of The Corporation of the City of  
Hamilton enacts as follows:

1. Amendment No. 36 to the Official Plan of the  
Hamilton Planning Area consisting of Schedule 1, hereto  
annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such  
approval of the Official Plan Amendment referred to in  
section 1 above, as may be requisite, be obtained and for  
the doing of all things for the purpose thereof.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1986) 5 R.P.D.C. 4(a), February 25  
Dr. Nenad Gagic, Owner & Prospective Owner  
Amended ZA-85-104

AMENDMENT NO. 36 TO THE  
CITY OF HAMILTON OFFICIAL PLAN

RECEIVED

MAR 3 1986

LEGAL DEPARTMENT  
CITY OF HAMILTON

The following text, together with the attached Schedule "A" hereto, constitute Amendment No. 36.

PURPOSE

The purpose of this Amendment is to delete a "Residential" designation and substitute it with a "Commercial" designation for those lands shown on the attached Schedule 'A'.

LOCATION

The subject lands are located on the east side of Victoria Avenue North, north of Barton Street East in the Landsdale Neighbourhood, and known municipally as 304 to 326 Victoria Avenue North.

BASIS

City Council deemed the proposed medical office building to be an appropriate use on the subject lands, and accordingly adopted this Amendment.

ACTUAL CHANGE

Schedule 'A' of the Official Plan - Land Use Concept be amended by redesignating the subject lands from "Residential" to "Commercial" as shown in red on the attached Schedule 'A' to this Amendment.

IMPLEMENTATION

A Zoning By-Law Amendment will give effect to the intended use on the subject lands.

This is Schedule 1 to By-law No. 86, passed on the  
A.D. 1986.

THE CORPORATION OF THE CITY OF HAMILTON

\_\_\_\_\_  
City Clerk

\_\_\_\_\_  
Mayor

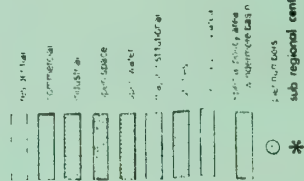
to the  
official plan  
for the  
city of hamilton

From "Residential" to  
"Commercial"

date	drawn by	reference file no.
Februar / 1985	G K.	6-2-36

## land use concept

**legend**



## Schedule A

to the official plan  
for  
the city of Hamilton



J26



The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

By-law No. 85-200

Respecting:

LAND LOCATED AT MUNICIPAL NOS. 252, 262 and 268 JAMES STREET SOUTH

WHEREAS By-law No. 85-200, passed on the 24th day of September, 1985, amended General Zoning By-law No. 6593 by providing for special requirements applicable to the "E-1" (Multiple Dwellings, Lodges, Clubs, etc.) district zoning of the land shown on Schedule "A" thereto;

AND WHEREAS it is intended to revise the special requirements in accordance with section 4 of the 3rd Report of the Planning and Development Committee, adopted by City Council on January 28, 1986;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under The Planning Act on June 1, 1982.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Clauses 1(b) and 1(c) of By-law No. 85-200 are repealed and the following substituted therefor:

(b) COMMERCIAL USES comprised of medical offices, the aggregate floor area of which shall not exceed 50% of the total gross floor area of the building excluding the basement or cellar;

(c) any use other than storage and mechanical rooms shall be prohibited in any basement and from any cellar except the dwelling unit existing on the day of the passing of this by-law located in the basement of 268 James Street South;

2. Section 1 of the said by-law is amended by adding thereto the following clause:

(ga) The southerly driveway access for the parking lot along the westerly property line adjacent to Markland Street shall not be used for any purpose other than as an entrance from Markland Street;



3. By-law No. 6593 is amended by adding this by-law to section 19B as "S-932a".

4. Sheet No. W-6 of the District Maps is amended by marking the land referred to in section 1 of this by-law, "S-932a".

5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with The Planning Act, 1983.

PASSED this                      day of                      A.D. 1986.

City Clerk

Mayor

(1985) 24 R.P.D.C. 9, August 27  
(1986) 3 R.P.D.C. 4, January 28  
Sam Henson Apartments Ltd., Owner  
ZA-85-50

The Corporation of the City of Hamilton

BY-LAW NO. 86-

To Amend:

The Retail Gasoline Early Closing By-law No. 9396

Respecting:

PARTS OF THE CITY OF HAMILTON TO WHICH BY-LAW NO. 9396 APPLIES

WHEREAS By-law No. 9396, passed on the 29th day of June, 1961, in accordance with the predecessor to section 212 of The Municipal Act, R.S.O. 1980, Chapter 302, as amended by By-laws Nos. 10803, 78-186 and 81-49, provided for parts of the City of Hamilton to which the above by-law applies;

AND WHEREAS By-law No. 85-216, passed on the 8th day of October, 1985, amended By-law No. 9396 by revising the application of By-law No. 9396 to the part of the City of Hamilton designated in By-law No. 9396;

AND WHEREAS it is intended to further revise the application of By-law No. 9396 to the part of the City of Hamilton designated in the said by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:

1. Schedule "A" to By-law No. 9396, as amended by section 2 of By-law No. 85-216, is further amended by adding thereto the following description:

Fourthly

Being in the City of Hamilton, in the Regional Municipality of Hamilton-Wentworth, (formerly in the County of Wentworth) in the Province of Ontario, and being composed of Lots Seventeen and Eighteen (17 & 18) and parts of Lots Nineteen and Thirty-four (19 & 34) as shown on a plan known as Wm. T. Onyon's Survey and registered in the Registry Office for the Registry Division of Wentworth as Number 75 and which may be more particularly described as follows, that is to say,

COMMENCING at the southeastern angle of the said Lot Thirty-four (34) being also the point of intersection of the western limit of York Street with the northern limit of Woodbine Crescent;

THENCE North eighty-three degrees forty-five minutes West along the southern limit of the said Lot Thirty-four (34), being also the

northern limit of Woodbine Crescent, ninety-two feet and three inches to a point;

THENCE North four degrees forty-nine minutes East in a straight line being the eastern limit of the land described in Instrument Number 200549 registered in the said Registry Office, fifty-eight feet and five inches to a point;

THENCE North two degrees twenty minutes East continuing along the said limit of the said lands described in the said Instrument 200549, twenty-eight feet and four inches to a fence post;

THENCE North eighty-three degrees thirty-nine minutes West in a straight line fifty-two feet and three inches to an iron pipe planted;

THENCE North four degrees forty minutes East in a straight line seven inches more or less to a point in the southern limit of the said Lot Eighteen (18);

THENCE North eighty-three degrees forty-five minutes West along the southern limit of the said Lot Eighteen (18), one foot and six inches to an iron pipe planted at the southwestern angle of the said Lot Eighteen (18);

THENCE North four degrees fifty-two minutes thirty seconds east along the western limit of the said Lots Eighteen and Seventeen (18 & 17), eighty feet to a stake planted at the northwestern angle of the said Lot Seventeen (17);

THENCE South eighty-four degrees two minutes East along the northern limit of the said Lot Seventeen (17), being also the southern limit of the lands of the Hamilton Cemetery Board, one hundred feet to a stake planted at the northeastern angle of the said Lot Seventeen (17);

THENCE South eleven degrees forty-five minutes East along the eastern limit of the said Lots Seventeen and Eighteen (17 & 18) being also the western limit of York Street, forty-two feet and four inches to an iron pipe planted;

THENCE South ten degrees twenty-three minutes East along the eastern limit of the said Lots Eighteen, Nineteen, and Thirty-four (18, 19 & 34), being also the said limit of York Street, one hundred and thirty-three feet and two inches to the place of beginning.

2. (1) This by-law takes effect on the 20th day of March, 1986, being not less than one week, nor more than two weeks after the date of passing.

(2) The City Clerk shall cause this by-law to be published in The Spectator before the 25th day of March, 1986.

**PASSED** this 11th day of March, A.D. 1986.

City Clerk

Mayor

(1986) 2 R.L.C. 5, January 14



BY-LAW NO. -

TO CONFIRM PROCEEDINGS OF THE COUNCIL OF THE CORPORATION OF THE CITY OF  
HAMILTON AT ITS MEETING HELD ON THE DAY OF A.D., 198 .

WHEREAS by Section 9 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of a municipal corporation are to be exercised by its Council;

AND WHEREAS by Sub-section 1 of Section 103 of The Municipal Act, being Chapter 302 of the Revised Statutes of Ontario, 1980, the powers of every Council are to be exercised by by-law.

AND WHEREAS it is deemed expedient that the proceedings of the Council of The Corporation of the City of Hamilton at this meeting be confirmed and adopted by by-law.

NOW THEREFORE the Council of The Corporation of the City of Hamilton enacts as follows:-

1. The action of the Council of The Corporation of the City of Hamilton in respect to each recommendation contained in the Reports of the Committees and of the local Boards and Commissions and each motion and resolution passed and other action taken by the Council of The Corporation of the City of Hamilton at this meeting is hereby adopted and confirmed as if all such proceedings were expressly in this By-law.
2. The Mayor and the proper officials of The Corporation of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the action of the Council of The Corporation of the City of Hamilton referred to in the preceding section hereof.
3. The Mayor, or in the absence of the Mayor, the Acting Mayor, and the City Clerk, or in the absence of the City Clerk, the Deputy City Clerk are authorized and directed to execute all documents necessary in that behalf and to affix thereto the seal of The Corporation of the City of Hamilton.

PASSED this day of A.D. 198

CITY CLERK

MAYOR



## ACCOPRESS®

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25072 -	BLUE / BLEU	- BU2507
25078 -	RED / ROUGE	- BF2507
25075 -	GREEN / VERT	- BP2507
25074 -	GREY / GRIS	- BD2507
25073 -	R. BLUE / BLEU R.	- BB2507
25079 -	X. RED / ROUGE X.	- BX2507
25070 -	YELLOW / JAUNE	- BY2507
25077 -	TANGERINE	- BA2507

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